

MEETING
STATE OF CALIFORNIA
LANDS COMMISSION

HOLIDAY INN SACRAMENTO DOWNTOWN - ARENA
FRESNO/EL DORADO ROOM
300 J STREET
SACRAMENTO, CALIFORNIA

TUESDAY, FEBRUARY 4, 2020
10:07 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. Betty T. Yee, State Controller, Chairperson

Ms. Eleni Kounalakis, Lieutenant Governor

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

ALSO PRESENT:

Ms. Mary Bernier, Interfaith Peace Coalition

Mr. Francis Coats

Ms. Randa Coniglio, Port of San Diego

Ms. Molly Croll, American Wind Energy Association,
California

Mr. Mike DiBernardo, Port of Los Angeles

Dr. Mark Gold, California Natural Resources Agency

Mr. Bob Grundstrom, California Resources Corporation

Ms. Linda Krop, Environmental Defense Center

Mr. David Labitique, Port of Los Angeles

Mr. Bill Magavern, Coalition for Clean Air

Ms. Patricia Miller

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

ALSO PRESENT:

Ms. Diane Oshima, Port of San Francisco

Ms. Kathryn Phillips, Sierra Club

Mr. Tom Rudolph, The Pew Charitable Trusts

Ms. Jennifer Savage, Surfrider Foundation

Ms. Kanyon "Coyote Woman" Sayers-Roods, Indian Canyon
Mutsun Band of Costanoan Ohlone

Ms. Theresa Simsiman, American Whitewater

Mr. Dan Slanker, Redwood Creek Association

Mr. Edward Stancil

Mr. Creed Stedman, Auburn Indian Community

Ms. Mari Rose Taruc, Environmental Justice Community
Representative

Ms. Kathy Yhip, Southern California Edison

Mr. Jay Ziegler, The Nature Conservancy

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I 10:00 AM - Open Session 1

II Consent Calendar 01 4

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

Land Management

Northern Region - no items

Bay / Delta Region - no items

Central / Southern Region

01 CALIFORNIA RESOURCES PETROLEUM CORPORATION (LESSEE): Consider adoption of a Mitigated Negative Declaration, State Clearinghouse No. 2019120471, adoption of a Mitigation Monitoring Program, and amendment of Lease No. PRC 3913.1, a General Lease - Right-of-Way Use, of sovereign land located in the Pacific Ocean, near Emma Wood State Beach, Ventura County; for full removal of two non-operational seawater intake pipelines and one non-operational outfall pipeline under the proposed Intake/Outfall Structures Decommissioning Project. (PRC 3913.1; RA# 05018) (A 37; S 19) (Staff: C. Hudson)

School Lands - no items

Mineral Resources Management - no items

Marine Environmental Protection - no items

Administration - no items

Legal - no items

Kapiloff Land Bank Trust Acquisition - no items

External Affairs - no items

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III	Informational Calendar - no items	
IV	Regular Calendar 02	
02	CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Informational update on implementation of the Commission's 2016-2020 Strategic Plan and stakeholder panel discussion to solicit input to inform the development of the Commission's 2021-2025 Strategic Plan. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: J. Lucchesi, C. Connor, B. Stoddard)	4
V	Public Comment	160
VI	Commissioners' Comments	175
VII	Closed Session	175

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

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- 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
- California State Lands Commission, et al. v. Martins Beach 1 LLC, et al.
- Eugene Davis v. State of California and California State Lands Commission
- Hollister Ranch Owners Association v. Xavier Becerra, et al.
- 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
- In re: Venoco, LLC, Bankruptcy Chapter 11
- John W. Lebolt and Richard A. Lebolt v. City and County of San Francisco
- 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.
- People of the State of California, ex rel. the Regional Water Quality Control Board, San Diego Region v. International Boundary and Water Commission

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- Public Watchdogs v. California State Lands Commission
 - Renee Walton v. City and County of San Francisco; Port Commission of San Francisco, et al.
 - 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.
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

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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 YEE: Good morning. I call this
3 special meeting of the State Lands Commissions to order.
4 All the representatives of the Commission are present. I
5 am State Controller Betty Yee and I'm joined today by
6 Lieutenant Governor Eleni Kounalakis and Gayle Miller
7 representing the Department of Finance.

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

18 We recognize that the lands we manage have been
19 inhabited for thousands of years by California's native
20 people and take seriously our trust relationship with
21 these sovereign governments. Today, our gratitude goes to
22 the Nisenan, Wintun, and Miwok people who have inhabited
23 the Sacramento River corridor valley and foothills for
24 countless generations. We welcome Mr. Creed Stedman from
25 the United Auburn Indian Community to come forward and to

1 address us.

2 Good morning.

3 MR. STEDMAN: Good morning. Good morning,
4 everyone. My name is Creed Stedman and I am the tribe --
5 and I am a tribal member and the Tribal Heritage Assistant
6 at the United Auburn Indian Community of the Auburn
7 Rancheria.

8 The ancestral lands of my tribe include
9 Sacramento, where we are meeting today. Thank you for the
10 opportunity to participate in this discussion regarding
11 the five-year strategic plan for the State Lands
12 Commission.

13 When the tribe was asked by a representative from
14 State Lands Commission to open this meeting, the
15 invitation included a request for our opinion with respect
16 to priorities, challenges, equity, and climate change.
17 Because the State Lands Commission has oversight for lands
18 along rivers and other waterways, where some of our most
19 important cultural sites are located, the tribe is deeply
20 interested in how strategic -- in how the strategic plan
21 addresses these cultural sites and these lands.

22 In the past, when these sites have been damaged
23 by erosion or projects, we have had a clear mechanism --
24 we have not had for clear mechanism for protecting,
25 restoring, and stewarding these places. It is our hope

1 that the strategic plan will prioritize a path for this
2 type of stewardship of our cultural sites.

3 With the increase in levee work and increased
4 erosion associated with climate change, we have seen more
5 and more damages to our cultural sites in these vulnerable
6 areas, at the same time that the cost for such stewardship
7 are being pushed onto tribes, rather than the management
8 agencies or project proponents.

9 The tribe has always been an active steward of
10 our cultural sites. However, when these sites are on land
11 that we do not own or have access to, then such
12 stewardship is difficult. Similarly, it is an issue of
13 environmental justice and civil rights when the tribe must
14 pay costs associated with repairing a cultural site that
15 was damaged by activities associated with the project or
16 development.

17 In conclusion, this strategic plan should include
18 mechanisms for access, funding, and tribal involvement for
19 stewardship of our cultural sites with the State Lands
20 Commission jurisdiction.

21 Thank you for your time and I look forward to
22 listening to details regarding the updated strategic plan.

23 Thank you.

24 CHAIRPERSON YEE: Thank you, Mr. Stedman. Thank
25 you for being here.

1 Okay. Our first order of business will be the
2 adoption of the consent calendar. Is there anyone in the
3 audience who wishes to speak on this item?

4 If not, we will now proceed with the vote.

5 May I have a motion?

6 ACTING COMMISSIONER MILLER: So moved.

7 CHAIRPERSON YEE: Moved by Commissioner Miller.

8 COMMISSIONER KOUNALAKIS: Second.

9 CHAIRPERSON YEE: Seconded by Commissioner
10 Kounalakis.

11 Any objection to a unanimous vote?

12 Hearing none.

13 That motion carries.

14 The next order of business will be the regular
15 calendar. And we have item number 2 is an informational
16 update on the implementation of the Commission's 2016 to
17 2020 strategic plan and stakeholder panel discussion. And
18 this will be to solicit input in the development of the
19 Commission's 2021 to '25 strategic plan. Let me turn to
20 Ms. Lucchesi for the presentation.

21 Good morning.

22 (Thereupon an overhead presentation was
23 presented as follows.)

24 EXECUTIVE OFFICER LUCCHESI: Great. Thank you.

25 Good morning, Commissioners and good morning to everyone

1 in our audience this morning. This is an exciting special
2 meeting for all of us today, because it really is the
3 public kick-off of our next -- of the development of our
4 next strategic plan.

5 So before we get into the -- hearing from our
6 stakeholders and understanding their perspectives and
7 gaining their insights, I do want to just provide a quick
8 update on our 2019 activities with -- related to our
9 strategic plan. And I hope to get through that in an
10 efficient manner, so we can all hear from our stakeholders
11 who will help inform our next strategic plan.

12 --o0o--

13 EXECUTIVE OFFICER LUCCHESI: So with that, the
14 Commission formally adopted its first ever strategic plan
15 on December 18th in 2015. That five-year plan has guided
16 the Commission's stewardship of its public lands and
17 resources for the last four years and will continue
18 through the end of this year. Our next strategic plan
19 will guide the Commission beginning 2021 through the end
20 of 2025.

21 Since its creation in 1938, the Commission has
22 been led by 20 Lieutenant Governors, 11 State Controllers,
23 and 32 Finance Directors. And notably, 2019 marked the
24 first year in its 81-year history that the Commission is
25 represented entirely by women: Lieutenant Governor, Eleni

1 Kounalakis, who was Chair last year; State Controller,
2 Betty Yee; and the Department of Finance Director, Keely
3 Bosler.

4 --o0o--

5 EXECUTIVE OFFICER LUCCHESI: The Commission
6 manages over five million acres of State-owned lands and
7 resources, as the Chair described earlier. Its primary
8 responsibilities are to manage the use and protection of
9 these lands and resources through leases, permits, and
10 other agreements, as well as to prevent oil spills at
11 offshore facilities and marine oil terminals, and protect
12 State waters from marine invasive species introductions.

13 The Commission's existing strategic plan enables
14 the Commission to adapt to emerging challenges, while
15 creating a meaningful and rich framework to effectuate
16 State policy goals, promote public access, generate
17 revenue for the benefit of the general fund and the State
18 Teachers' Retirement System, and enforce the protections
19 of the Public Trust Doctrine.

20 Our strategic plan is anchored in four strategic
21 goals, one, being meet the challenges of our future; lead
22 innovative and responsible land and resource management;
23 engage Californians to help safeguard their trust. All
24 founded on cultivating operational excellence through
25 integrated technology.

1 --o0o--

2 EXECUTIVE OFFICER LUCCHESI: So before we get
3 into some of the accomplishments and implementation of
4 our -- in 2019, I do want to talk a little bit about our
5 2019-20 budget, as -- along with our revenue generation,
6 because our budget does reflect our priorities and our
7 values as an agency.

8 We have an approximately \$88.8 million budget.
9 This continues the trend of heavy special project funding,
10 nearly outweighing our usual baseline budget. For our
11 decommissioning projects, including Rincon Island and
12 Platform Holly, we were allocated \$44 million in the
13 current budget.

14 For management of our Bolsa Chica Wetlands, we
15 have \$2 million this year to continue to operate and
16 maintain that significant Southern California asset.

17 We also received \$2 million to continue our
18 coastal hazard removal and legacy remediation and plugging
19 and abandonment activities. What that tells us is that
20 over half of our budget, \$46 million, is focused on the
21 decommissioning and removal of offshore and shore zone oil
22 facilities and infrastructure. This gives some insight
23 into our current priorities.

24 We also received over \$1.2 million towards the
25 maintenance and operations of our new records management

1 IT project. And the 2019-2020 budget also brings a new
2 forestry position to restart our forested school lands
3 management program, plus in a new environmental justice
4 coordinator, and an administrative liaison to drive this
5 new policy effort.

6 On the revenue side, the Commission generated
7 over a hundred -- \$164 million in revenue and net profits.
8 This was down approximately nine percent from the \$180
9 million generated in 2019. The drop is due largely to the
10 decline in oil prices over the course of the year and in
11 deductible expenses from certain operators' plugging and
12 abandonment activities.

13 In 2019, oil prices dropped into the low to mid
14 \$60 per barrel price from a high of \$70 -- \$75 per barrel
15 in the prior year.

16 Most of the revenue, \$112 million, is from oil
17 and gas royalties and net profits, of which \$79.2 million
18 is from the Long Beach Unit in West Wilmington oil fields.
19 Surface leasing accounted for \$22.2 million up from about
20 \$20.5 million in 2018, of which, \$1.4 million went to the
21 Lake Tahoe Science and Improvement Account.

22 Overall, the Commission's leasing activities
23 resulted in 149.4 million to the general fund and \$6.5
24 million to the California State Teachers' Retirement
25 System.

1 With 234 staff positions, the total revenue
2 generated by the Commission equates to over \$638,000 per
3 position. And since its creation in 1938, the Commission
4 has generated over \$11.8 billion for the State of
5 California.

6 --o0o--

7 EXECUTIVE OFFICER LUCCHESI: Next, I want to talk
8 about some of our notable accomplishments in 2019. We
9 managed the return of over 7,200 acres of offshore lands
10 to the California Coastal Sanctuary where these offshore
11 lands can no longer be used for oil and gas production or
12 development. We completed the plugging and abandonment of
13 the Piers 421 production well offshore Goleta, which was
14 an incredible accomplishment, given the complexities of
15 the well, the teamwork between various State, federal, and
16 local agencies, and the importance of this effort to the
17 local community.

18 --o0o--

19 EXECUTIVE OFFICER LUCCHESI: We plugged and
20 abandoned 24 of the 50 offshore wells in the Rincon Island
21 decommissioning project. And we've plugged and abandoned
22 24 of the 25 State onshore wells. The removal and the --
23 of the wellheads and concrete well cellars are underway,
24 all ahead of schedule and under budget. The Commission
25 sponsored AB 585 by Assembly Member Limón that minimizes

1 the State's future financial liability for decommissioning
2 oil and gas infrastructure and ensures all lessees fulfill
3 their decommissioning obligations.

4 The Commission, as lead agency, certified the EIR
5 and approved the decommissioning of units 2 and 3 of the
6 San Onofre Nuclear Generating Station early in 2019.

7 --o0o--

8 EXECUTIVE OFFICER LUCCHESI: The Commission also
9 entered into a landmark collaboration agreement with the
10 California Coastal Commission, the California Department
11 of Parks and Recreation --

12

13 --o0o--

14 EXECUTIVE OFFICER LUCCHESI: -- and the
15 California Coastal Conservancy --

16 --o0o--

17 EXECUTIVE OFFICER LUCCHESI: -- for a public
18 engagement and planning process to inform the development
19 of a coastal access program at Hollister Ranch.

20 --o0o--

21 EXECUTIVE OFFICER LUCCHESI: The Commission
22 approved the a landmark boundary line and easement
23 agreement with over 180 property owners along the shore of
24 Donner Lake in Nevada County that clarifies public and
25 private property ownership and secures public access

1 rights to the lake.

2 --o0o--

3 EXECUTIVE OFFICER LUCCHESI: From January 1st
4 through December 31st, staff monitored 27 percent of all
5 oil transfers conducted at marine oil terminals in
6 California. During this same period, over 735 million
7 barrels of product were transferred at these same marine
8 oil terminals. Spills directly relating to these oil
9 transfers during this time were just 0.4 barrels, or 17
10 gallons. That is approximately five parts per billion of
11 oil spill compared to what was transferred, and that's all
12 due to our prevention activities.

13 --o0o--

14 EXECUTIVE OFFICER LUCCHESI: We launched a new
15 online system that allows the public, and stakeholders,
16 and applicants to access, submit, and track lease and
17 permit applications. With this new tool, the Commission
18 can also preserve and make available to the public digital
19 copies of historical records that provide insight and
20 depth into the lands and resources managed by the
21 Commission and the history of California.

22 --o0o--

23 EXECUTIVE OFFICER LUCCHESI: And finally, we
24 launched a new web mapping application for the State
25 waters offshore San Diego in partnership with the Port of

1 San Diego, which is designed to help users and
2 stakeholders better understand the dynamic ocean space and
3 ocean-related data offshore San Diego.

4 --o0o--

5 EXECUTIVE OFFICER LUCCHESI: So there are many,
6 many other accomplishments and notable achievements that I
7 could go on and on about that we, as a staff, are
8 certainly very proud of over the last year. And that's
9 also just very reflective of the last four years of
10 implementing our strategic plan.

11 --o0o--

12 EXECUTIVE OFFICER LUCCHESI: With that said, I do
13 want to talk a little bit about what having a strategic
14 plan has meant to staff and to our activities.

15 (Sneeze.)

16 EXECUTIVE OFFICER LUCCHESI: Bless you.

17 A lot of times strategic plans are just a
18 document, words on a paper that get put on a shelf. That
19 is not something that --

20 --o0o--

21 EXECUTIVE OFFICER LUCCHESI: -- has occurred with
22 this strategic plan. It has really served as an
23 empowerment tool for staff, primarily because of the
24 leadership of the Commission and the trust that the -- and
25 confidence the Commission has had in staff to really

1 implement the strategic vision and goals outlined in the
2 strategic plan.

3 --o0o--

4 EXECUTIVE OFFICER LUCCHESI: It's allowed us to
5 push the envelope and move and make significant progress
6 on comprehensive State policy goals, including achieving
7 gender pay equity in some of our leases. It includes
8 closing the last coastal sand mining plant. It includes
9 stepping up and taking responsibility for legacy oil and
10 gas infrastructure that does not have a responsible party.
11 And it has also empowered us to work and partner with
12 various stakeholders across the spectrum from our public,
13 to our non-governmental organizations, to our lessees and
14 our grantees to just do better in managing the State's
15 lands, resources, and assets.

16 --o0o--

17 EXECUTIVE OFFICER LUCCHESI: And so as we pivot
18 to developing our next strategic plan over this year, I'm
19 really looking forward to hearing from the representatives
20 that are here today. I'm grateful for their time, and
21 their travel, and for them to provide their insights and
22 perspectives, and frankly, their very direct, hopefully,
23 and honest assessment of how we've done over the past
24 couple years --

25 --o0o--

1 EXECUTIVE OFFICER LUCCHESI: -- and what they'd
2 like us to see moving forward.

3 --o0o--

4 EXECUTIVE OFFICER LUCCHESI: And so with that,
5 I'll turn it back over to the Chair.

6 Thank you.

7 CHAIRPERSON YEE: Thank you, Ms. Lucchesi.

8 Any comments from Commissioners at this point?

9 Okay. Hearing none. Did you have something
10 else?

11 EXECUTIVE OFFICER LUCCHESI: No.

12 CHAIRPERSON YEE: Okay. Great. So why don't we
13 go ahead and hear from those who are going to be
14 presenting before the Commission. Ms. Lucchesi, if I
15 could have a point of personal privilege to introduce the
16 first speaker.

17 Okay. We have with us today the Deputy Secretary
18 for the California Natural Resources Agency, also the
19 Executive Director of the Ocean Protection Council, Mark
20 Gold, who is just here to present some brief comments to
21 the Commission.

22 One of the things I just want to highlight is so
23 much of the strategic plan that Jennifer just referred to
24 is predicated on the need to work in partnership. And
25 having the leadership of Mark at the Ocean Protection

1 Council, which is also coincidentally undergoing a
2 strategic planning process, much further along. But I
3 just want to ask the members of the audience to please
4 stay tuned to the Ocean Protection Council, a natural
5 partnership here with the State Lands Commission, but also
6 just some very, very bold initiatives that the Council
7 will be embarking upon, and it will be the subject of the
8 February 26th meeting of the Council.

9 So with that, good morning, Mr. Gold.

10 DR. GOLD: Good morning. I think I made it with
11 three minutes to spare.

12 (Laughter.)

13 DR. GOLD: So it's great to be here. And I'm so
14 glad that you led with partnership, because I can tell you
15 from the minute I started a little over six months ago, we
16 have worked very, very closely with the State Lands
17 Commission in every aspect of what we do, including
18 working on this strategic plan.

19 In reference to the plan itself, what I've been
20 charged to do by the Governor Newsom Administration, as
21 well as Secretary Crowfoot, is to have a bold plan. And
22 within that plan, there's a great deal of overlap with the
23 work that State Lands Commission is doing and has been
24 doing for quite some time.

25 And so there are four pillars of the plan itself,

1 one of which is the impacts of climate, both on the built
2 environment, as well as aquatic ecosystems. We also have
3 a section on biodiversity. And with each section, we have
4 bold targets and goals, as well as actions moving forward.
5 The focus of our plan's five-year period is very similar
6 to yours, in that regard. There's also an equity section
7 is the third section, and last is blue economy.

8 And so obviously, each and every one of those
9 sections, there's a tremendous overlap with the work that
10 the State Lands Commission does. In the process of
11 putting that together, we've had -- I don't even know how
12 many drafts we tortured Jennifer and her staff to review.

13 But really collaboration was absolutely the key
14 in what we were doing. What's unique about the effort and
15 what we're trying to get done - and hopefully on the 26th
16 we'll have approval of that plan - is to really not look
17 at this as what the coast and ocean needs are for the OPC
18 moving forward, but really what are the needs of the
19 state. In that regard, I think there's even more overlap,
20 since obviously that's the same lens in which you look at
21 things here at the State Lands Commission.

22 And so to that end, talking about a couple of
23 areas on the blue economy. It's not just talking about,
24 you know, what are we doing on tourism, which is what
25 everybody thinks about in the blue economy, but it's

1 talking about how do we get to a hundred percent
2 renewables in a way that's looking at the ocean as being a
3 contributor.

4 Is there an environmentally sound way to move
5 forward, for example, on offshore wind? And to that end,
6 we've already invested some funds in really looking at the
7 environmental impacts of offshore wind projects in a
8 couple different locations off the coast of California.
9 And so that's been a highlight.

10 We put in a port item in there. And who does
11 more on the port than the State Lands Commission. So
12 obviously, you know, the leadership on really greening the
13 ports comes out of this agency really more than any other
14 agency in the state. And I think that's -- that's another
15 critical component.

16 And the area that we talk about all the time
17 is -- in the state of California way back from when I was
18 running Heal the Bay back in the nineties, is, you know,
19 what are we doing as a state on aquaculture? And right
20 now, we don't have a coordinated approach to that effort.
21 And you have a commitment that we're moving forward in
22 investing OPC dollars to try working with Fish and
23 Wildlife hand in glove in putting together an aquaculture
24 plan for the state of California that's focused on the
25 algae, as well as shellfish. Let's get a program up and

1 going that's consistent, and everybody knows where it's
2 at, and do that soon before we start getting into all the
3 debates over finfish that have been so controversial for
4 so many years.

5 You know, and that's where a five-year plan is
6 actually helpful, because you're setting the objective
7 only a few years out, rather than where we want to be long
8 term.

9 Now, a climate that moves us in a completely
10 different direction, because you can't really look five
11 years out. You have to look longer term. And I'm sure
12 you're suffering with the same challenge here on how do
13 you deal with that?

14 And so we've worked with you very closely on sea
15 level rise issues as an example, which have such a
16 tremendous impact on our tidelands. And I'm happy to say
17 we're moving in the right direction, trying to -- trying
18 to get all the departments together in the state that have
19 something to do with sea level rise, whether it's
20 Caltrans, Office of Emergency Services, State Lands, Fish
21 and Wildlife, not just the usual suspects of the Coastal
22 Commission, the Coastal Conservancy, and BCDC to try to
23 get on the same page on the principles that we're just
24 going to apply on a day-to-day basis in dealing with sea
25 level rise, so that we're all moving in the same direction

1 as a state.

2 We don't have time to be inefficient in dealing
3 with climate impacts and sea level rise. And so that's an
4 effort we started even before the approval of this plan,
5 just because that collaboration is just absolutely
6 critical in getting things done. And hopefully, you'll
7 see something from that effort really in the next couple
8 months that I'm excited about.

9 So when you look at the things that we invest in
10 at the OPC, a lot of it is research oriented, and -- but I
11 think with the change in this administration, really
12 trying to move forward more on the policy side I think is
13 absolutely critical. And we're really trying to do that
14 through this strategic plan.

15 And we understand that there are many, many
16 areas, another one being equity, where the leadership
17 certainly isn't going to come from the OPC. There's been
18 entities. Departments have been dealing with this area
19 for much longer, and frankly much more comprehensively,
20 and strategically than we are. And frankly, in that case,
21 we're going to follow more than lead in this regard in top
22 priorities for this administration, which include things
23 like access for all, and really trying to make that
24 happen, and really working much more closely with tribes
25 and better engaging underserved communities and all the

1 things that we do to manage the coast and ocean.

2 So we have a lot ahead of us. The biodiversity
3 side equally challenging because of climate. I've talked
4 to you on -- you know, how disturbing things are with the
5 kelp forest collapse in the north coast. We're trying
6 things that, frankly, I never would have tried before. I
7 would have been completely against. And it will actually
8 be on the agenda coming up on the 26th, where we're
9 actually paying urchin boats to remove urchins off the
10 north coast in a way that I would not have supported,
11 frankly, in my previous career. But if I had not been
12 dragged out there by my staff and some of my colleagues to
13 actually, you know, scuba dive and see how bad the
14 situation is, I don't think I would have supported such an
15 effort.

16 But it shows you that we have to be bold, because
17 the impacts that we're fearing were happening on climate
18 are happening today. It's not something that's happening
19 five years from now, ten years from now, 50 years from
20 now.

21 You know, another example, I'm sure you saw was
22 ocean acidification. That there was a recent study in the
23 last two weeks showing that Dungeness crab -- obviously,
24 our number one fishery, that Dungeness crab larvae are
25 already vulnerable to low pHs that we're seeing off our

1 north coast and off the Oregon coast.

2 So pretty disturbing. And as such, we need to be
3 bold. And I'm guessing a lot of the people are going to
4 be before you today are going to talk about how great
5 you've been on stewardship for years, but the importance
6 of urgency has never been greater because of the climate
7 crisis.

8 Thank you for the opportunity to speak and share
9 some ideas. I'd be glad to answer any questions you may
10 have.

11 CHAIRPERSON YEE: Great. Thank you, Mr. Gold.
12 Commissioners, questions?

13 DR. GOLD: All right.

14 CHAIRPERSON YEE: Thank you so much.

15 DR. GOLD: Thank you.

16 CHAIRPERSON YEE: See you on the 26th.

17 Okay. Jennifer, do you want to introduce our
18 next guests.

19 EXECUTIVE OFFICER LUCCHESI: Yes. It's my honor
20 and my pleasure to introduce Ms. Kanyon "CoyoteWoman"
21 Sayers-Roods from the Indian Canyon Mutsun Band of
22 Costanoan Ohlone People. Thank you for being here.

23 MS. SAYERS-ROODS: (Spoke in Native American
24 Language.) Kanyon "CoyoteWoman" Saryers-Roods. I thought
25 I was going to speak later.

1 (Laughter.)

2 MS. SAYERS-ROODS: So I'm already catching myself
3 getting physiological responses hearing some of these
4 things. I am non-academically trained. However, I have
5 learned how to speak and engage in community spaces that
6 you're able to understand some of the cultural concerns.

7 As an indigenous woman raised Indian Canyon, the
8 only federally recognized Indian country between Sonoma
9 and Santa Barbara along central coastal California, we are
10 a very small band. But my mother has led a lot of efforts
11 around sacred site protection and that has led my career
12 going forward to honor truth and history.

13 So when we think about strategies when it comes
14 to protecting the land, when it comes to stewarding the
15 land, where are the indigenous peoples and where is the
16 prioritization of the original stewards of these places?
17 Because if we want to talk about honoring truth and
18 history, if we want to talk about the decision-making
19 process, we need to have an inclusive purview around these
20 histories. So when you start strategizing what we need to
21 do, it's very reactionary. I actually call it primitive.

22 So we have primitive decision-making practices
23 that are reactionary, like, oh, let's do something about
24 climate change, let's do this, let's do that, let's filter
25 this, let's change that. But instead of grounding

1 ourselves, starting an opportunity to be in connection
2 with indigenous peoples, relationship building, community
3 building, and then making a decision that is equitable,
4 that is just, that is diverse, and that is inclusive, or
5 I'll just rehash it and say the JEDI phrasing, because,
6 you know, Just, Equitable, Diverse.

7 And so like even right now, I'm paying attention
8 to my body. It's very frustrating to hear that these kind
9 of conversations happen, and then if natives were informed
10 or not, did have capacity or not, are part of the
11 conversation or not, it's disheartening to hear that how
12 many -- can you phrase -- can you tell me how many acres
13 were protected with the sanctuary?

14 EXECUTIVE OFFICER LUCCHESI: In this last year?

15 MS. SAYERS-ROODS: Those --

16 EXECUTIVE OFFICER LUCCHESI: Yes. This last year
17 over 7,200 acres.

18 MS. SAYERS-ROODS: Indigenous peoples don't have
19 access to that. We can't touch our cultural resources.
20 We can't engage in educational outreach with our
21 communities. We can't gather in these spaces to have
22 ceremony. And this is counted as a success case. It's
23 very exclusive. So I'm -- I apologize for a little
24 emotion coming through.

25 And so I just want you to consider what does it

1 mean to think about -- well, my shirt -- decolonizing and
2 reindigenizing our methodology, and instead of making a
3 decision that's a little quick. I really appreciate the
4 perspective that was recently just shared, that until he
5 was on the ground and when he realized what's going on,
6 that maybe the decision would have been made a different
7 way. And I highly recommend that all of these spaces, all
8 of these communities, before you make a decision about
9 these places and spaces that you are impacting, are you
10 considering how your actions and words impact not only
11 yourself, your community, the environment, but seven
12 generations. And does that consider the seven and more
13 generations that have been stewarding these lands since
14 time immemorial.

15 So I'm curious if you have any questions, because
16 I -- as the CEO of Kanyon Konsulting, LLC, it is my goal
17 and -- or my community's goal, because I have an awesome
18 team, to bridge the gap between contemporary and
19 indigenous value systems. And my goal is to teach the
20 teachers. Anyone who's in the position of educating the
21 public, I want to be sure that they consider these
22 perspectives.

23 And so when it comes to, well, school systems,
24 when teachers put indigenous peoples as past tense, when
25 school teachers don't consider their bioregion, when

1 school teachers don't have consultation about indigenous
2 peoples. Nothing about us without us. And then that goes
3 into environment, and that goes into State Parks, and that
4 goes into National Parks, that goes into private land.

5 So I just hope that you would consider honoring
6 truth and history, ensuring that the layers of history of
7 these spaces and places are considered, because the
8 timeline of these places, and inclusive decision-making
9 practices that have communal accountability and
10 reciprocity to our kinship of nature and our
11 responsibility to be good ancestors in training.

12 So I want to say thank you for your time.

13 EXECUTIVE OFFICER LUCCHESI: I just want to
14 express gratitude for your time, and your honesty, and
15 your truth. And I think as we move forward in developing
16 our next strategic plan, that is something that we hope
17 that we will continue to learn and continue to honor. So
18 do the -- are you ready to move on?

19 CHAIRPERSON YEE: Yes.

20 EXECUTIVE OFFICER LUCCHESI: Okay.

21 CHAIRPERSON YEE: Let me hear from the
22 Commissioners.

23 Commissioner Kounalakis?

24 COMMISSIONER KOUNALAKIS: Thank you, Madam Chair.
25 I think -- oh sorry.

1 Thank you, Madam Chair. I wrote down, "Nothing
2 about us without us", because we're regularly recognizing
3 native peoples and native lands, but we don't always
4 necessarily have representatives at the table in each of
5 these decisions. So thank you for your presentation.
6 Thank you for reminding us and that is certainly something
7 I'm going to carry with me.

8 CHAIRPERSON YEE: Thank you, Commissioner.
9 Any other comments?

10 EXECUTIVE OFFICER LUCCHESI: All right. So I
11 think we are ready to move on to our first panel. And
12 with that, I'd like to introduce first Elaine Forbes with
13 the Port of San Diego -- San Francisco. Then Randa
14 Coniglio with the Port of San Diego. And if you guys come
15 up and your name tags are up at the table. And Kathy Yhip
16 with Southern California Edison, Bob Grundstrom with
17 California Resources Corporation, and Mike DiBernardo with
18 the Port of Los Angeles.

19 And it looks like Diane you're here. Hi. Over
20 on the far left Diane.

21 CHAIRPERSON YEE: Jennifer, before we get
22 started, I just wanted to be sure, are there other tribal
23 members in the audience?

24 EXECUTIVE OFFICER LUCCHESI: No, Unfortunately,
25 we've had a number of folks come down with the flu, which

1 is -- yes. So we're also -- unfortunately, Jan Brisco
2 from Lake Tahoe and Nancy Sutley from Los -- the Los
3 Angeles DWP are not able to be either because they are
4 both ill so -- so maybe we can -- we didn't actually
5 coordinate who was going to go first or anything like
6 that, so maybe I'll start with you, Diane, is that okay?

7 Great.

8 MS. OSHIMA: Good morning, Commissioners Yee and
9 Lieutenant Governor and Commissioner Miller. I'm Diane
10 Oshima. I'm with the Port of San Francisco. It's good to
11 see you again. And I am expressing my regrets from Elaine
12 Forbes, because she was planning on being here, but she is
13 not feeling well and all sort of under the gun for some
14 other projects as well. But thank you very much for
15 inviting us.

16 I think, as the first -- as the first one up, I'm
17 going to just kind of go from my own notes and to also
18 applaud -- I'm really glad that we had the presentation on
19 the OPC strategic plan as well, because the Port of San
20 Francisco is a seven and a half mile long portfolio
21 stretching from Fisherman's Wharf, which is very tourist
22 focused, but also the center of the biggest fishing
23 industry along the west coast all the way down to through
24 the Ferry Building, through our historic districts, and
25 down into the industrial waterfront where our cargo

1 operations still continue today.

2 And in terms of State Lands' strategic plan and
3 your leadership, it has been remarkable and really a
4 wonderful partnership. Our planning and strategic
5 planning is very similar to what State Lands is focused
6 on, in terms of the diversity of activities and the
7 balancing across many different public needs that we
8 manage.

9 I am the Director for the Planning and
10 Environment Division. We have just completed an update to
11 the port's master plan for all of the land uses and
12 operations along the port's waterfront. And we're so
13 grateful that Jennifer and her team were active partners
14 on the waterfront plan working group, because it was
15 important for our public to understand what Public Trust
16 means, what are the duties and responsibilities, and who
17 are the staff who are administering all of the services.
18 It really was a great education for all of us, but
19 particularly for the public to understand how it is that
20 our agencies are working together with BCDC, as three
21 trust agencies, for improving the maritime, the
22 commercial, the recreational, and environmental facilities
23 along this waterfront.

24 Climate change is definitely one of our big
25 drivers here. And the waterfront plan update was really

1 around starting that public conversation. Even though we
2 don't have the solution, but to start the public
3 conversation, so that people can start to get aligned and
4 acquainted with the scope of the issues that are facing
5 San Francisco in support of what we now have as a
6 waterfront resilience program.

7 And I wanted to call out Brad Benson, who's here
8 today also, who's available to answer questions about the
9 Embarcadero Seawall Project, which many of you may have
10 been familiar of. That's a -- initially was identified as
11 a seismic -- urgent seismic retrofit need, but obviously
12 any investments over time will have to incorporate
13 adaptation for rising seas as well.

14 But then we've also extended that program through
15 the entire seven and a half mile of the port's property
16 and we're coordinating with the City of San Francisco to
17 integrate a city resilience plan. And I think the
18 partnership opportunities and the learning opportunities
19 between our efforts, other ports, and State Lands is going
20 to be important, so that the alignment that is being
21 sought in all of the State efforts that you have are being
22 brought forth down onto the local as well.

23 I think one of the things that the resilience
24 program offers is a case study for different problem
25 solution strategies and specific investments. We won't

1 necessarily have everything covered and we won't
2 necessarily get everything a hundred percent right. But I
3 think that working with the regulatory agencies, our Trust
4 agencies, and the public to align what it is that we think
5 are the proper steps to take and the priorities will help
6 us all understand what we learn in the successes and the
7 lessons that we take into each round of resilience
8 investments and improvements.

9 I'd like to just highlight one of the examples
10 that we're facing right now is along the Embarcadero.
11 It's not only the seawall, but also the finger piers --
12 the historic finger piers that line the embarcadero, from
13 the ferry building, on through to Fisherman's Wharf, and
14 down to the ballpark, if you're familiar with those.

15 We have had a long working relationship with
16 State Lands on aligning and really developing a tailored
17 Public Trust strategy to allow for the ballpark, the Ferry
18 Building, and these projects. And now, we have, with
19 Jennifer's team, developed updated policies to help form
20 more saving of these port resources that incorporate flood
21 protections and adaptation, so that we can try and retain
22 these resources for the next few decades, while we are
23 planning for what the higher waters dictate for a future
24 waterfront, along the San Francisco shoreline.

25 So that partnership has been important. I think

1 I also want to emphasize that the planning, whether for
2 OPC or for Coastal Commission, we'd like to be able to be
3 part of the conversation on emphasizing the importance of
4 ports, and water-dependent industries, and the need for
5 protections in place, not only the replacement and the
6 upgrade for adapting to higher water levels.

7 Ports are a major economic element for the State
8 economy, as well as for the San Francisco Bay region. And
9 our efforts are really focused on maintaining the
10 stability of the revenues and the economic, and the jobs
11 associated with Public Trust maritime industries, while
12 we're also developing the port for public-oriented uses,
13 and the open space system that's been developed, but to
14 maintain stability for the many different jobs and
15 industries that our region requires.

16 And the OPC plan we would like to work further
17 with you all to make sure that there are protection in
18 place climate change adaptation strategies, as well as
19 longer term lifestyle replacement strategies going
20 forward.

21 In terms of sustainable growth and how we are
22 addressing some of the equity objectives that have been
23 discussed, I really applaud the representative from Ohlone
24 Tribe, because we have found the same thing in terms of
25 having the conversations about what the issues are before

1 coming up with any proposed policies or strategies, that
2 has been the transparency. The true two-way conversations
3 have been very instrumental in our ability to make a lot
4 of progress on updating our policies for the public's
5 understanding.

6 We are now trying to implement projects based on
7 policy updates that were produced through the waterfront
8 plan working group public process and are very confident
9 and grateful for the partnership from the public as well
10 as our State Lands and public agency partners to support
11 rehabilitating more of our port facilities, our maritime
12 functions, and trying to maintain a balance, so that any
13 investment really delivers public access, maritime
14 operations, new environmental technologies, and sea level
15 rise adaptation.

16 So with that, I will wrap-up my comments here and
17 look forward to the conversations.

18 I guess one last thing that I would add, I forgot
19 to mention, is for the future strategic plan, the
20 opportunity for the ports and the stakeholders here to
21 actually gather more frequently to share best practices
22 and strategies amongst ourselves on projects on the ground
23 that we're all trying to manage would help with that
24 alignment and efficient sharing of strategies and
25 hopefully public investments as well.

1 Thank you.

2 CHAIRPERSON YEE: Thank you very much, Ms.
3 Oshima.

4 And what we'll do is we'll hear comments from
5 each of you and then we will engage the Commissioners'
6 questions.

7 Please.

8 MS. CONIGLIO: Do you want to go in order like
9 this?

10 EXECUTIVE OFFICER LUCCHESI: Yes, that's perfect.

11 MS. CONIGLIO: Hi. My name is Randa Coniglio.
12 I'm the President and CEO or Executive Director of the
13 Port of San Diego. Thank you so much for having us today
14 and congratulations on this process. I think it's already
15 been really enlightening and interesting for me. I'm sure
16 it has been for you and I think it's just fabulous how
17 you've put together such an inclusive process.

18 At the Port of San Diego, we view the State Lands
19 Commission as one of our most valued partners. In fact,
20 Jennifer and I have known each other for probably close to
21 20 years, when we were both baby staffers at our
22 respective agencies. And I really value our relationship
23 of mutual appreciation and trust. And I think that the
24 partnership between the Port of San Diego and the State
25 Lands Commission is one of our most effective and

1 productive partnerships.

2 We're really happy -- we were happy to
3 participate in the development of the last strategic plan
4 and honored to be invited to participate in your second
5 iteration.

6 I'm going to focus on four ideas that we think
7 might warrant consideration in development of your next
8 strategic plan and we'll see if that's helpful at all.

9 So first, the acknowledgement and sometimes even
10 emphasis in your current strategic plan of the partnership
11 between the Commission, and ports, and harbors. I really
12 appreciate -- we appreciate and think that that's
13 important. Of all State agencies, I think the State Lands
14 Commission has probably the deepest understanding of what
15 we do as ports on the coast of California.

16 In the words of your plan, the Commission and its
17 staff have a proven record of successfully partnering with
18 these ports and harbor districts to facilitate and promote
19 responsible maritime commerce, navigation, trade, and
20 waterfront revitalization.

21 I think the Port of San Diego and the State Lands
22 Commission have lived that partnership and could probably
23 come up with dozens of instances historically and
24 particularly this last year with our ocean planning
25 process and the ocean mapping. I'd like to see us look

1 for ways to continue to institutionalize those
2 partnerships and create more joint endeavors that can help
3 us together better serve the Public Trust. So that's the
4 first theme or principle.

5 Secondly, I think you might want to consider an
6 acknowledgement that environmental goals and economic
7 growth are not always mutually exclusive. The current
8 strategic plan talks a lot about balancing environmental
9 goals with economic growth. And while that is often
10 something we need to figure out a way to do, I think we've
11 experienced examples where the two are -- can be
12 accomplished at the same time.

13 So, for example, we're working a pilot program
14 right now with respect to planning for sea level rise,
15 where we're -- rather than protecting the shoreline
16 traditionally, protecting it with a new concrete product
17 that is -- I think the word is biophilic, but it
18 encourages the life in the water to actually attach to it
19 and live in it. And it's shaped like little tide pools,
20 so it's called eco-concrete or ecocrete. And it will
21 actually be creating habitat while protecting the
22 shoreline. So we've just installed some of that in some
23 of our areas to pilot that project.

24 But it's a good example of accomplishing two
25 things at once, I guess I would say. I think the State

1 Lands Commission could can be a catalyst to encourage that
2 kind of innovation statewide. You're well set up to do
3 that.

4 The third principle -- and I'm going to talk
5 about another example of that a little later with respect
6 to wetlands restoration. The third principle is something
7 that we really value is that the State Lands Commission
8 should continue to be a facilitator between State agencies
9 and ports. And like I mentioned earlier, because of your
10 understanding of the importance of and the functions of
11 ports, we sometimes call on you all to help us navigate
12 things between other State agencies that impact our port.

13 Not all State agencies are experts in what we do
14 or even have a general idea and sometimes are very
15 aggressive in their desires for implementation --
16 implementation and phasing of regulations that impact us.

17 So, for example, the Port of San Diego -- at the
18 Port of San Diego, we're firm believers in
19 electrification. We were the first port to implement
20 shore power for our cruise ships. But now as CARB
21 wrestles with how to implement more shore power, sometimes
22 they're considering timelines that don't allow for the
23 appropriate engineering and CEQA processing.

24 So in the past, State Lands has helped us
25 facilitate conversations and adjustment of some of those

1 regulations. And we think that that's an important role
2 that you all could play to help the ports and harbors
3 comply and continue to provide the jobs and promote the
4 things that we do.

5 Fourthly, with respect to revenue generation, we
6 think that you're probably going to have to be very
7 creative. And I was impressed by the accomplishments that
8 Jennifer shared today over 2019 -- the 2019 calendar year.
9 In fact, I don't know how you do it with half the
10 employees we have. That was a pretty impressive list of
11 accomplishments. But it appears that oil and gas revenues
12 will not be achieved at the same level in the years to
13 come, and that's going to require some creativity.

14 One of the things that we have thought about is
15 that you might want to consider taking a little thing that
16 we're doing in San Diego and how you can maybe scale that
17 up. So we've got a project in our south bay to restore a
18 salt pond. It's very creatively named pond 20.

19 (Laughter.)

20 MS. CONIGLIO: And rather than develop this area,
21 as we were being urged to do by some of our stakeholders,
22 we're going to restore it into a more vibrant wetlands and
23 then sell mitigation credits to developers. So we'll
24 earn -- the model shows that we'll earn enough money by
25 selling the mitigation credits to perform the restoration,

1 and improve the environment, and still have some revenue
2 stream over and above that.

3 What we were thinking is that with your five
4 million acres of land, you might have an opportunity to
5 really scale that kind of thing up and pursue projects
6 that would increase biodiversity, increase carbon
7 sequestration, and carbon capture, so sort of the offset
8 side of all the greenhouse gas emissions reduction efforts
9 that the State is undertaking, and maybe be able to do
10 some sort of banking and mitigation credit kind of
11 opportunity there, maybe with your grantees. So this
12 mitigation -- wetland mitigation banking thing sort of
13 scaled up many times over, and to accomplish other goals
14 besides just wetlands.

15 So just an idea. Please don't ask me any
16 questions about that, because I don't know of any model or
17 anything, but it seemed like something that you might be
18 really okay.

19 AGP VIDEO: Hold on. Don't touch anything.

20 CHAIRPERSON YEE: Sure. Okay. Let's recess for
21 five minutes while we get this resolved.

22 (Off record: 11:01 a.m.)

23 (Thereupon a recess was taken.)

24 (On record: 11:09 a.m.)

25 CHAIRPERSON YEE: Okay. The Commission will now

1 reconvene. Thank you for your patience.

2 Okay. We will now hear from Kathy.

3 Good morning

4 MS. YHIP: Good morning, Chair Yee,
5 Commissioners, Ms. Lucchesi. My name is Kathy Yhip, and
6 I'm a senior advisor in Southern California Edison's
7 Regulatory Affairs Group in our Energy and Environmental
8 Policy Division.

9 Southern California, or SCE, we appreciate the
10 opportunity to offer our perspective as a lessee in the
11 State Lands Commission's development for its 2021 to '25
12 strategic plan.

13 SCE is a public utility providing electricity to
14 over 15 million customers. And our service territory
15 ranges over 50,000 square miles.

16 Electric transmission and distribution facilities
17 are, by their very nature, linear facilities, so we span
18 both public and private lands. And SCE holds leases from
19 the Commission for both sovereign and school lands.

20 Over the years, our relationship with Jennifer
21 and her staff has been built on respect and collaboration,
22 with a shared objective for responsible use of State Lands
23 to meet public needs.

24 One example of the Commission's successful
25 implementation of your Strategic Goal 1.1 was your

1 decision, back in March of last year, for decommissioning
2 of Units 2 and 3 of the San Onofre Nuclear Generating
3 Station.

4 I'd like to acknowledge and thank the staff for
5 their very diligent work in preparing the EIR and for the
6 robust stakeholder engagement.

7 The Commission's approval for us to move forward
8 with decommissioning allows us to proceed with safety and
9 systematically dismantling the station that for over 30
10 years provided electricity to Southern Californians. We
11 will leave the area in a condition that meets all State
12 and federal requirements, and is fully protective of
13 public safety.

14 To respond on a more granular basis, if you will,
15 to some of the questions posed by Jennifer in terms of
16 what should be capped or changed in the strategic plan,
17 the plan, I would note, is very comprehensive and would
18 recommend continuing with those goals as already outlined.

19 However, it may be contemplated as part of your
20 strategy for responsible management or even improving your
21 operational excellence, but one thought is to consider
22 explicitly including an action item to review your
23 permitting process to identify opportunities to improve
24 efficiency and to improve schedule certainty for project
25 applicants.

1 The intent of the recommendation is not, in any
2 way, to reduce protection of California's resources, but
3 rather to improve transparency about the milestones in the
4 agency's review, and the expected time frames to achieve
5 those milestones.

6 In terms of goals or strategies that should be
7 continued, SCE encourages the Commission to continue the
8 balanced approach for responsible land and resource
9 management, and your commitment to protect public health
10 and safety.

11 Sustainable growth and environmental or resource
12 protection is absolutely not mutually exclusive. To the
13 contrary, a robust economy is necessary for Californians
14 to have the means and mechanisms to protect their
15 environment, and the State's resources, and to continue to
16 enjoy a healthy lifestyle.

17 We also encourage the Commission to continue to
18 expand the use of technological solutions as part of your
19 strive for excellence, things like the electronic permit
20 system, and the digitization of GIS records has been very
21 helpful as part of your strategic plan. In addition to
22 improving process efficiency, having that type of
23 information readily available to the public fosters
24 improved stakeholder engagement and allows for more
25 improve -- informed participation.

1 In terms of top priorities moving forward for the
2 next five years, not to sound like a broken record, but
3 we'd encourage the Commission to continue to prioritize
4 the balanced approach for responsible use of lands and
5 resources, and sustainable growth.

6 We'd also encourage the Commission to continue to
7 make decisions based on scientifically sound principles,
8 and peer-reviewed studies as you move forward.

9 In terms of challenges for the Commission. One
10 of the likely challenges that is recognized, but not
11 necessarily verbalized, is the need for adequate staffing
12 to accomplish the Commission's goals in a timely manner.

13 Almost every single organization that I'm aware
14 of is facing the retirement of experienced staff, and the
15 loss of institutional knowledge moving forward.

16 And as we try to accomplish more on faster
17 timelines, not having that institutional knowledge, not
18 having that experience can certainly hamper your ability
19 to achieve your goals.

20 As to how the Commission might balance
21 sustainable economic growth, including revenue generation,
22 and at the same time protect the environment, improve
23 equity, and address the issues of climate change, I don't
24 have any specific suggestions.

25 I would note, however, that California cannot

1 thrive without sustainable growth. And it is absolutely
2 not necessary to sacrifice protection of the environment
3 and the resources to accomplish that.

4 Thank you again for the opportunity to
5 participate.

6 CHAIRPERSON YEE: Thank you very much, Ms. Yhip.
7 Mr. Grundstrom.

8 MR. GRUNDSTROM: First, I want to thank Jennifer,
9 Seth, the State Lands staff for really building and
10 developing a positive working relationship. And I want to
11 thank the Commissioners for your leadership and for
12 including myself in this very important process.

13 So I'm Bob Grundstrom. I represent California
14 Resources Corporation. We're the largest oil and gas
15 producer in the State of California. We're a long-time
16 partner and operator of the very unique public-private
17 partnership that is the Long Beach Unit and the tidelands
18 properties down in Long Beach.

19 I'm extremely proud to represent approximately a
20 thousand employees and contractors from THUMS, Tidelands,
21 and Huntington Beach, and also proud of the fact that
22 since I've been with the company we've generated about \$4
23 billion of revenue for the State Lands Commission through
24 those assets, mostly in Long Beach. And a hundred -- over
25 a hundred of the 160 million in 2019 and our five-year

1 program plan, which we work with staff every other year
2 estimates about \$485 million over that five-year period.
3 So the revenues will still be there in the near term,
4 depending on other changes ahead of us.

5 But -- you know, but I'm in a new role at CRC and
6 I come from a business and operations perspective, not
7 from a government affairs or regulatory perspective. And
8 my new role has really two key elements. One is to
9 support our current operations, support our partners, like
10 the State in continuing to be the operator of choice in
11 California. We provide the power that fuel our modern
12 lifestyles every day.

13 But the other part of the role is really trying
14 to establish CRC as the company -- the energy company of
15 the future. And the way we've done that, and the way
16 we've set up a path is to really align ourselves with the
17 sustainability goals of the state, and that includes
18 protecting our water resources, that includes reducing
19 methane emissions, which are actually ahead of the State's
20 goals on, includes bringing renewables into our portfolio.
21 We control roughly two million acres through the State and
22 have facilitated 600 megawatts -- over 600 megawatts of
23 solar on those properties by allowing -- allowing solar
24 providers to put their projects in that same area. But we
25 also are looking at behind-the-meter projects to power our

1 operations, things that we will actively bring renewables
2 and solar into our facilities.

3 But most importantly, from my perspective, the
4 future for us is about lowering our carbon intensity. And
5 we're aggressively pursuing a carbon capture and
6 sequestration project in Central California. It will be
7 the first of its kind in California, the largest in the
8 United States, and once implemented, will be -- will
9 result in a 30 percent reduction in our carbon footprint.
10 This is amazing technology. It's something that we have
11 invested \$8 million in already and there's a big road
12 ahead of us, and be happy to speak to it more as we get to
13 questions.

14 But I am a true believer in that technology as
15 part of this solution. And I believe if we take the
16 technology and a reliable, all-of-the-above approach to
17 energy, to energy security, those are the elements that
18 have been in the plan and need -- I would suggest should
19 be in the future plans, so we can continue to provide
20 local jobs, local resources, local oversight, over our
21 critical energy infrastructure, energy resources, and also
22 will work to -- the new elements would be to work to lower
23 our carbon intensity, while still powering our lives.

24 And the elements that maybe we can come back to
25 later with questions is just how do we encourage and

1 promote the operators that do the right thing, that are
2 here -- earlier, the item was on consent calendar, but it
3 was about removing pipelines at the end of a lease working
4 with a community to do the right thing.

5 We also do need those operators to have a viable
6 investable future, if we're going to have big projects
7 like carbon capture.

8 So with that, I'm really excited to be here and I
9 look forward to the discussion.

10 CHAIRPERSON YEE: Thank you, Mr. Grundstrom.

11 Mr. DiBernardo, welcome.

12 MR. DIBERNARDO: Good morning, Chairwoman Yee,
13 Governor Kounalakis, and Ms. Miller, Executive Director
14 Lucchesi, State Lands staff, and guests.

15 On behalf of our Executive Director, Gene Seroka,
16 I'm happy here -- to be here today. My name is Mike
17 DiBernardo, Deputy Executive Director of Marketing and
18 Customer Relations at the Port of Los Angeles. I also
19 have my colleague David Libatique here, who's our Deputy
20 Executive Director of Stakeholder Engagement. And we're
21 here to answer any questions for later on as well.

22 Thank you for inviting us back again this year.
23 We were part of the last strategic plan efforts that were
24 done by the Commission. So we thank you for being -- for
25 allowing us to be here.

1 As a legislative grantee of the Port, the Port of
2 Los Angeles has enjoyed a strong partnership with State
3 Lands Commission. And consistent with our trust
4 obligations, we continue to promote commerce, moving 9.3
5 million TEUs last year and remaining the busiest container
6 port in the nation, in spite of uncertainty in the
7 international trade.

8 Our executive director prides himself on three
9 strategic focus areas, and those are business, community,
10 and environment. Together with our neighbor at the Port
11 of Long Beach, our complex ranks number eight in the world
12 in terms of container volume at almost 17 million
13 twenty-foot equivalent units that took place in 2019.

14 Cargo that passes through our gateway touches
15 every corner of the State and nation. All 80 State
16 Assembly Districts, all 40 State Senate Districts, and all
17 435 U.S. Congress Districts.

18 As you know, we're a very diverse port, in that
19 not only do we handle cargo, we handle cruise activities,
20 automobiles, liquid bulk, fishing, recreational boating,
21 and visitor serving. We appreciate the opportunity to
22 provide input on the development of the State Lands
23 Commission's 2020 -- '21-'25 strategic plan.

24 First, we applaud the efforts that this
25 Commission has done, as well as the staff of State Lands,

1 on the work that they did in the past strategic plan. We
2 do not recommend any eliminations, or changes, or
3 additions of the topics to the next five-year strategic
4 plan. We find that the existing plan was very
5 comprehensive.

6 For the next five years, we would reemphasize
7 strategic goal number one to lead innovative and
8 responsible land and resource management, which recognizes
9 the unique role that California ports and harbors play for
10 the State and the nation. We welcome the Commission's
11 commitment to partnering with the port to promote
12 commerce, navigation, trade, fishing, vessel passenger
13 services, resource protection, and restoration and
14 waterfront revitalization.

15 The strategies you have identified to achieve the
16 goal are appropriately special for the ones that address
17 the application of evolving Public Trust principles and
18 the emphasis on public access, public health, climate
19 change, and environmental protection and public safety.

20 Strategic plan goal number one, and its included
21 strategies, provide an adequate framework for the port to
22 continue to promote its competitiveness, advance the clean
23 air action plans, and engage the technology, development,
24 and innovation, and play a role in the workforce
25 development and training.

1 However, maintaining the Commission's role with
2 respect to trustees and balancing competing policy
3 objectives amidst the complex array of economic,
4 environmental, and social interests at play will be the
5 biggest challenge, and one which we stand ready to partner
6 with you on.

7 For example, the State Lands efforts on
8 environmental protection, especially in the face of
9 climate change and sea level rise are of paramount
10 importance. The approach pursued by the Port of Los
11 Angeles and the Port of Long Beach in 2006 with the
12 creation of the San Pedro Bay Clean Air Action Plan
13 remains a landmark institutional response.

14 Since 2006, the ports have used a variety of
15 innovative measures to reduce sources specific emissions,
16 even as we had 26 percent growth in cargo. In
17 collaboration with our customers, we reduced greenhouse
18 gases by ten percent, NOx by 60 percent, diesel
19 particulate matters by 87 percent, and SOx by 98 percent.

20 The current approach used by the Commission
21 allows initiatives like the CAP to be adopted and benefit
22 the private sector collaboration.

23 The Port of Los Angeles has developed a sea level
24 rise adaptation study to address the impacts of sea level
25 rise. We currently are revising our Port Master Plan to

1 incorporate these strategies based on the best available
2 science and recommendations by this Commission.

3 Mean sea level rise has risen four inches in Los
4 Angeles area over the last century. With global sea
5 levels projected to continue to rise, public and private
6 shoreline assets will become more vulnerable to an
7 increase in the frequency and the magnitude of coastal
8 flood events.

9 This study identifies the areas of national
10 leading seaport that are projected to expose sea level
11 rises for the 20, 30 year, 2050, and 2100, and it provides
12 an overview of the port's assets and vulnerabilities and
13 presents a suite of strategies to adapt over time and
14 become more resilient to sea level rise.

15 The Port of Los Angeles has added sea level rise
16 to its current strategic plan, along with its engineering
17 designs and risk management considerations. We also plan
18 to include language around sea level rise in our RFPs and
19 permits. And we issued our first coastal development
20 permit with a special condition incorporating sea level
21 rise.

22 We will continue to monitor the science around
23 sea level rise and continue to update the study along with
24 collaboration with both the State Lands Commission and our
25 tenants.

1 As another example, we encourage State Lands
2 Commission to continue to work with individual trustee
3 ports on how to achieve shared goals on promotion of
4 public access and responsible economic development --
5 increase the predictability regarding the consistency
6 determination process and the guidelines applied to
7 evaluate trust consistency of waterfront commercial uses
8 critical to revitalize the designated visitor serving
9 areas.

10 Trustees -- trustee ports without the benefit of
11 the economic engine, such as existing high traffic,
12 tourism area, or downtown district adjacent to the port
13 are especially hampered from the lack of specific -- of
14 what can and cannot be developed in areas of commercial
15 use.

16 Increase coordination and clarity on retail,
17 entertainment, and other uses can contribute to the
18 activation of vacant and underutilized waterfront areas
19 attract a larger visitor base and further achieve the
20 intent of Public Trust Doctrine.

21 In summary, the State Lands Commission's current
22 strategic plan is a comprehensive framework with the
23 trustees can address numerous challenge -- challenges. We
24 welcome a closer partnership and support a balanced
25 reasonable approach. We're here to support and carry out

1 your mission.

2 And thank you for your time today.

3 CHAIRPERSON YEE: Thank you, Mr. DiBernardo.
4 Thank you.

5 So at this time, Jennifer, I'd like to engage the
6 Commissioners with our panelists. This is a time -- this
7 is not meant to be debate, but we really appreciate all of
8 you sharing your perspectives. And I think we're hearing
9 some common themes coming out of each one of you.

10 So, Commissioners, questions?

11 Yes, Commissioner Kounalakis.

12 COMMISSIONER KOUNALAKIS: Thank you very much.
13 Thank you all very much for not just coming down here
14 today and participating in this process with us, but for
15 what you and your teams do every day to work with the
16 Commission staff to make sure that our mutual cooperation
17 is -- is as effective as it can possibly be.

18 So I have a couple of questions for you and the
19 breadth of the work within your jurisdictions, within our
20 jurisdiction is such that the scope can be very, very
21 broad. Having been a San Francisco Port Commissioner,
22 there were the maritime responsibilities of the port, but
23 then there are other things that we've seen recently, for
24 instance, around the use of these properties not just as
25 maritime use, but also in the interests of the people of

1 the state of California. And we know that we have a major
2 housing crisis. And there was a recent question of use of
3 some property in the San Francisco Port around that.

4 So my first two questions, particularly for those
5 representing the ports are, first of all, can you talk a
6 little bit more about specifically what is this next
7 generation of activity going to look like in addressing
8 sea level rise? You know, you talked about planters that
9 are also like seawalls. But what are you -- what is the
10 scope of how dramatically you think that our planning
11 needs to change around sea level rise in order to be able
12 to protect our ports.

13 And then my second question is about the use of
14 properties at the ports for the current housing crisis and
15 whether or not you think that should be something we
16 should be thinking about in our strategic plan, based on
17 the experiences that you've had over this last four-year
18 term. I'll have one or two more questions, but that
19 was -- that was my first one for the ports.

20 CHAIRPERSON YEE: That's great. Thank you.

21 MS. OSHIMA: I'll start, but it looks like my
22 partner next door has some information to offer as well.

23 And again, I'd like to just point out Brad
24 Benson, if you want to be able to get more detail around
25 the port's waterfront resilience program. On the

1 resilience front, there are many different moves, because
2 there's not a one-size-fits-all, even within the context
3 of just one port, let alone a whole state tidelands
4 portfolio.

5 For our open spaces, we've actually been
6 designing them, so that they are flush with the landside,
7 the embarcadero, the landside fabric that we have to join
8 in with, but incorporating designs to be able to cant it
9 up to essentially buy time and to design edge features
10 that are providing flood protections, landscaping that can
11 accommodate intermittent King tide or other types of storm
12 surges.

13 So on a project-specific level like that, there
14 are some fairly simple moves that actually maintain the
15 viability of the use -- the public's use of those parks
16 and open spaces.

17 For our longer term developments, at Pier 70,
18 we -- that's a 68-acre area. Twenty-five acres has
19 been -- is being developed by a master developer in
20 coordination with our shipyard area and then some historic
21 building rehabilitation that has been completed within the
22 last couple of years at the Orton 20th Street historic
23 core.

24 But Brookfield is our development partner. And
25 they are actually elevating the site and incorporating all

1 new horizontal, new green infrastructure as part of their,
2 you know, 60- to 75-year kind of time frame for being able
3 to manage the water over time.

4 COMMISSIONER KOUNALAKIS: How high are they
5 elevating?

6 MS. OSHIMA: About four feet. So they're taking
7 guidance from all of the State agencies, including BCDC,
8 and then, in some cases, sort of putting a little margin
9 on top of that, where we have properties that are on solid
10 fill.

11 So another example would be the Giants are
12 teaming up with Tishman Speyer as a development partner
13 for a 20-acre parking lot that now has been serving the
14 ballpark closer to China Basin Channel. They, too, are
15 raising the site by five feet to be able to support a
16 mixed-use development with major waterfront parks and
17 have -- so both of our developers are taking similar
18 approaches to that.

19 COMMISSIONER KOUNALAKIS: And do you think that's
20 four to five feet of elevation to mitigate for impacts for
21 the next 60 years, is that what I heard, is kind of the
22 window?

23 MS. OSHIMA: Well, the window now, depending on
24 the projections that you look at at 2100, are going from
25 three and a half feet up to six feet. And so, you know,

1 there is a calculated effort guided by BCDC and the
2 developer's own investment decisions about how to raise
3 that and then you still have adaptive design beyond that.
4 So one is basic elevation and then another is, you know,
5 park areas that can take water and can be adapted over
6 time and still leave margin for course corrections based
7 on changes and conditions that we don't know today.

8 A best effort -- obviously, no one has the
9 crystal ball, but there is a very intentional effort to
10 try and be as forward thinking and to leave options open
11 for adaptations to come around later on. The Mission Rock
12 project in particular is within the Mission Bay area of
13 the waterfront, for those of you who are familiar, where
14 the Chase Center arena has just opened up for the
15 Warriors. And that area, in general, has a lower
16 elevation. So there's a larger discussion that's going to
17 have to take place around how the Mission Bay waterfront
18 should be adapting, as well as a neighborhood. So
19 whatever happens on that larger plane will influence then
20 what Mission Rock future improvements would be as well.

21 COMMISSIONER KOUNALAKIS: So the Warriors' arena
22 was not elevated?

23 MS. OSHIMA: The Warriors' arena is, but the
24 earlier developments --

25 COMMISSIONER KOUNALAKIS: Okay.

1 MR. OSHIMA: -- were not elevated. And so there
2 are, you know, a lot of adaptation planning that's still
3 ahead us of us there.

4 So I think these two examples also speak to some
5 of the housing question that you have, because, as we all
6 know, housing on Public Trust land is not allowed under
7 normal circumstances. And this really reveals a very
8 close and sophisticated collaboration that the Port of San
9 Francisco has had with State Lands in terms of state
10 legislation that has been required for all of our major
11 projects. And it has been really, I think -- Jennifer,
12 when would -- when was SB 815? That was probably over 15
13 years ago --

14 EXECUTIVE OFFICER LUCCHESI: Um-hmm.

15 MS. OSHIMA: -- at this point, where we were
16 recognizing San Francisco's waterfront is so right up
17 against the rest of the city. And the integration of what
18 we do along our facilities to not just meet our Public
19 Trust objectives, but to serve major public infrastructure
20 systems of the city and to weave ourselves into the fabric
21 of the neighborhoods and the districts that are upland of
22 that require some exceptions from the standard Public
23 Trust rules.

24 And Jennifer and her predecessor attorneys have
25 been extraordinarily creative and helpful to craft the

1 principles of the Public Trust in a San Francisco dense
2 urban context, so that we could do trust swaps to be able
3 to free up lands, to be able to develop for those
4 non-Trust uses, whether they be housing or office that are
5 the economic drivers for the clean-up and the improvement
6 of the shoreline properties, and the creation of the
7 public open spaces, and the public benefits that come from
8 these projects, but also to do it in the context of how
9 does Pier 70 fit into the rest of San Francisco, how does
10 the Mission Rock project fit into the Mission Bay
11 waterfront and into the rest of the San Francisco city at
12 large.

13 And in the context of the resilience program work
14 now, that is taking it to a fuller scale than we've ever
15 had to deal with before, because now we're really into
16 major public infrastructure systems and regional
17 transportation networks, the Embarcadero, sewer system for
18 the city, transbay tube that connects BART to the East
19 Bay, underground portals to our subways that are subject
20 to flooding. These are not just port decisions. These
21 are State and federal, as well as local, investments and
22 decisions that need to be made in alignment. And that's
23 kind of the scope of what the waterfront resilience
24 program is trying to undertake.

25 MS. CONIGLIO: Hi. Thank you. I think at the

1 Port of San Diego we have a lot of similarity with Port of
2 San Francisco and have a number of approaches, depending
3 on the particulars of the area. So the tidelands that we
4 administer go all the way around San Diego's harbor and
5 include not only the sort of hardened typical port
6 marine-related facilities, but also sensitive habitat and
7 other development areas.

8 So we have a large development in our south bay,
9 where it's pretty much a greenfield development and we
10 imported dirt -- millions of dollars worth of dirt to
11 elevate a pad six feet. So that particular project is
12 surrounded by parks, which are being designed to handle
13 inundation. So we have to look at a variety of ways to
14 deal with sea level rise.

15 I think most of our efforts, however, have been
16 really trying to understand the science. We're very
17 fortunate to have the Scripps Institute in our backyard,
18 and have partnered with not only Scripps, but the Navy
19 that we share. The Navy is sort of our next door neighbor
20 all the way around the harbor.

21 And so together we have installed some -- a lot
22 of monitoring devices to really capture what happens in
23 real time with storm surge and so on. And we'll continue
24 to work very closely with those partners to try to
25 understand exactly what we need to do and when.

1 CHAIRPERSON YEE: Thank you.

2 MR. DIBERNARDO: So for the Port of Los Angeles,
3 as I mentioned, we did some things in our permit. But we
4 looked at different areas. So we had the cargo wars and
5 miscellaneous operations; the critical facilities, such as
6 the power plants and so forth; transportation network with
7 our on-dock rail and the rail network that we have; and
8 community and commercial assets, as well as natural
9 habitats.

10 So we looked at all those areas. There is some
11 temporary flooding in certain year milestones that we
12 looked at, both in 2030, 2050, and 2100. We noticed that
13 the container terminals are in good shape. There is some
14 areas like our liquid bulk facilities that will have
15 temporary flooding further down the road. And we're
16 working -- actually, as you know, we're doing the MOTEMS
17 enhancements to our wharves and getting them prepared for
18 the future and building them at the right height to
19 protect us from any issues with the sea level rise.

20 So any of the work that we're doing, any new work
21 that we're building, we're definitely taking this plan
22 into consideration and making sure that our facilities are
23 built above the areas that are -- or the heights that
24 we're looking at for issues.

25 We're also looking at, you know, can you use

1 sandbags, things of that nature that are for temporary
2 use, if there's a storm that comes in. And so that's
3 being looked at in certain areas as well.

4 So we have a comprehensive plan. Worked closely
5 with State Lands on it. We'll continue to work with State
6 Lands in regards to the sea level rise and what we can do
7 to prevent any issues with our -- with our customers.

8 In regards to housing, as you know, the Mayor of
9 Los Angeles has a very aggressive initiative, as far as
10 the homeless situation in Los Angeles. There's a number
11 of areas throughout Los Angeles that temporary housing is
12 being built. We thank the Commission staff here for
13 allowing us to offer up an area that we have for temporary
14 use, 42 months, of using it for temporary housing for the
15 folks that are unable to provide housing or have housing.

16 So the area is not along the waterfront. It's
17 actually upstream a little bit within the City of
18 Wilmington. But it's an area that we acquired through the
19 PMA, through a land swap that we do with the PMA. So
20 that's on temporary housing that we're doing for them
21 right now. And then the city is looking at areas
22 surrounding the port, that they're using for temporary
23 housing as well.

24 CHAIRPERSON YEE: Great. Thank you, Mr.
25 DiBernardo.

1 Commissioner Kounalakis, please.

2 COMMISSIONER KOUNALAKIS: Thank you, Madam Chair.

3 So if I can just suggest that in our strategic
4 plan, we look at now what we now of as two examples, where
5 temporary housing relative to the homeless crisis are
6 happening in our ports and on our port properties, and
7 look at that and see if we can't kind of flesh that out a
8 little bit in terms of policy.

9 I also want to thank you, Mike, for talking about
10 existing buildings and what to do in the context of sea
11 level rise with existing buildings, because I think it's
12 going to be really important to look at the innovative
13 work being done at the Port of L.A. and other places and
14 share that information frankly not just with other ports,
15 but with -- make it available through our strategic plan
16 process for others who are grappling with these same
17 issues, cities, and counties, and towns all along the
18 coast to see what the best practices are in entities that
19 are doing this kind of work in our jurisdiction.

20 I think that can be extremely helpful.

21 EXECUTIVE OFFICER LUCCHESI: If I may, I
22 completely agree. And just for a plug for our next
23 Commission meeting on February 28th, which is going to be
24 down in -- at the Long Beach -- new Long Beach City Hall
25 building, we will have a couple of agenda items focused

1 specifically on our grantees, and the sea level rise
2 assessments that were required to be submitted to us July
3 of last year pursuant to AB 691, then Assembly Member
4 Muratsuchi's bill, and where we're looking at exactly
5 the -- those things that our grantees from our major ports
6 that are represented here down to some of our smaller more
7 boutique harbor districts, and what they are doing in
8 terms of planning for sea level rise, but even more
9 importantly, what are the challenges and the resources
10 that they need and are experiencing in planning for sea
11 level rise and developing the resilience strategies and
12 the adaptation strategies.

13 So that is going to be a major component of our
14 February 28th meeting. And it will also help to further
15 inform the next strategic plan pursuant to your direction.
16 So thank you.

17 MR. DIBERNARDO: If I may also add as well?

18 In early December actually, the Propeller Club of
19 Northern California actually brought all the ports
20 together that worked on the sea level rise and there was a
21 good collaboration between the groups, as well as the
22 Coast Guard was there, and other folks and we talked about
23 sea level rise and the best practices that each of the
24 ports are doing.

25 So that was a great effort to bring all the ports

1 together and collaborate on that. It was a full day
2 session in early December.

3 CHAIRPERSON YEE: Yes, Commissioner.

4 COMMISSIONER KOUNALAKIS: So I have two -- two
5 more questions.

6 CHAIRPERSON YEE: Please, yes

7 COMMISSIONER KOUNALAKIS: Thank you very much for
8 indulging me with all of this.

9 CHAIRPERSON YEE: No, no. This is the whole
10 point of this meeting, so, please.

11 COMMISSIONER KOUNALAKIS: So two more, again
12 unrelated, but kind of related in my mind. And they
13 really have to do with the impacts of transportation that
14 we engage with at our ports, and one of them is air
15 pollution. And if you could talk a little bit again not
16 just what you're doing, but in the context of our -- of
17 our strategic plan update, where do you see the next step
18 in engaging with air pollution both from the maritime
19 traffic, but also from the transportation to trucks that
20 come and go from the ports?

21 So again, not just in the context of what you're
22 already doing, but really in thinking forward as what do
23 we do in the next strategic plan to help to really move
24 this along. And I think of invasive species sort of in
25 the same thing, when I think of all of the ships that are

1 coming, and going, and when they're bringing in. It's not
2 just what's happening out of the smokestacks, but -- the
3 air pollution, but also what's happening under the water
4 with the -- with the ballast water, and some of the other
5 species that can form on the bows of ships and come in and
6 contaminate the waters in the California coast.

7 So if you could talk a little bit again the
8 ports, but then also Mr. Grundstrom, you had mentioned
9 that you have a program for reducing carbon emissions. It
10 piqued my interest, so I don't know if we have time for
11 that now or later. I would very much like to hear more
12 about that.

13 Thank you.

14 CHAIRPERSON YEE: Thank you.

15 Who would like to go first?

16 Yeah, Randa.

17 MS. CONIGLIO: Well, you're on that side.

18 Thank you very much.

19 At the Port of San Diego we are looking at --
20 hard at electrification. So some of our actually port
21 tenants joined together to apply for a grant from CARB a
22 year, year and a half ago to get some on terminal electric
23 equipment. But more I think relevant to your question is
24 with respect to the trucks. And we have done some studies
25 to try to determine how far the trucks go and how many

1 trucks have more of a routine and shorter haul, so that we
2 can identify places we could put charging equipment in
3 order to try out some electric trucks.

4 One of our operator -- terminal operators has
5 actually purchased some electric trucks to try piloting
6 that process. So I think the more that we can get away
7 from the traditional gas engines and electrify that
8 equipment, the better we can do in terms of air pollution.

9 Another thing that we are just right now doing
10 after having endeavored to get this done for probably ten
11 years is to fund some filters in a nearby elementary
12 school for their air conditioning system, so not
13 necessarily eliminating at the source, but helping some
14 more sensitive receptors in the general area.

15 MR. DIBERNARDO: So as you know, the Port of
16 L.A., Port of Long Beach is very aggressive with their
17 Clean Air Action Plan. And we are looking at instituting
18 a new Clean Truck Program. We have about 16,000 trucks
19 that visit the port or that are registered in our
20 concession agreements. We have put a requirement in
21 that -- in fact, it was October of 2018 that any new
22 registered trucks have to be 2014 or better, which is
23 better than what the State standards are in place today.

24 We are doing a number of demonstration projects.
25 We're looking at electric yard equipment, as well as

1 electric on-road trucks, but also looking at -- and we're
2 trying to stay agnostic on the technology. We're not
3 saying it has to be electric. We're saying it needs to be
4 zero emission. So we're even looking at opportunities of
5 hydrogen fuel cell. And Toyota is doing a very aggressive
6 program right now with on-road trucks. And we're doing a
7 pilot actually with Port Hueneme as well of hydrogen fuel
8 cell trucks with Toyota as well as Shell in a partner in
9 that. So that's zero emission and so we're looking at
10 things like that.

11 We're also -- the Mayor's initiatives -- both
12 Mayors, L.A. and Long Beach Mayors' goals is that yard
13 equipment should be zero emission by 2030 and on-road
14 trucks be zero omission by 2035. So we're trying to look
15 at ways of how we get there. And a lot incentive programs
16 that are being offerered out there in order to -- to improve
17 the on-road trucks as well as yard equipment.

18 We also have a vessel speed reduction program at
19 L.A. and Long Beach where ships need to slow down before
20 coming into the harbor. That's done at both 20 and 40
21 nautical miles.

22 And then we're also looking at harbor crafts.
23 The harbor crafts actually generate a lot of -- a lot of
24 pollution, so we're looking at ways that they can advance
25 and be at a certain level with their equipment or their

1 tugboats and harbor crafts that are used around the port
2 as well.

3 MS. OSHIMA: So for the Port of San Francisco,
4 we're very integrated with the city at large showing the
5 city-wide transportation system. We really work closely
6 with the Department of Environment and the MTA that sets a
7 lot of the transportation and environmental policies, and
8 then adapt them into our operations.

9 So just on a getting around the waterfront, I
10 mean, clearly transit first is the promotion and scaling
11 to bicycles, and all of the improvements for pedestrian so
12 that we're reducing the used of autos as a general matter
13 is just a baseline for us.

14 On the maritime side, we have biodiesel,
15 renewable diesel, used as fuels for the trucks and the
16 industrial equipment on the land. We have purchased a new
17 locomotive with renewable diesel engine. And certainly
18 the shoreside power, we're really looking at how we can
19 develop -- we have one shoreside power facility now. A
20 shoreside facility at our shipyard and at our cargo
21 terminal, we're looking to see the viability of trying to
22 create another shoreside facility for our second cruise
23 back-up -- back-up cruise terminal.

24 And then on the ferries and excursions, our
25 ferry -- we have partners in our tenants that are using

1 renewable diesel now, and a very environmental leader --
2 forward environmental leader in Red and White ferries is
3 going for a hydrogen fuel cell for excursion in ferry
4 boats as well, and has a prototype in production right
5 now.

6 So that's a very promising opportunity. And then
7 to look to see how we can create fuel stations along the
8 water front to, you know, promote that as more of a
9 standard is included in our energy plans. And then high
10 charge EV charging stations for electric vehicles.

11 And in terms of truck traffic, one of the things
12 that has been a real success for San Francisco is to
13 co-locate plants that are near the source of cargo that
14 we're taking over the docks. So we have bulk cargo that's
15 coming in over the southern waterfront dock. And just
16 across the street are the concrete manufacturing plants.
17 So what used to be a lot of trucks bringing in materials
18 and transporting is eliminated. And so we're able to just
19 have that as a very efficient center for industry.

20 CHAIRPERSON YEE: Thank you.

21 Other questions, Commissioners?

22 Yes, Commissioner Miller, please.

23 ACTING COMMISSIONER MILLER: Thank you. You
24 know, I wanted to speak to the Port of San Diego and the
25 idea that environmental goals and economic goals are not

1 mutually exclusive. I think that was very well put,
2 especially given all the information we have on how you're
3 doing vis-à-vis the -- all the environmental goals of this
4 state, obviously, our partners, and reducing greenhouse
5 gas emissions by 2045, and we're grateful for that.

6 I do think this is an important point for the
7 strategic plan is how we -- how we create that balance
8 between our environmental goals and our economic goals
9 recognizing that State Lands Commission is a revenue
10 generating agency and that is one of our responsibilities.

11 So I thought the ideas, both looking creatively
12 at revenue sources, whether it's mitigation or continuing
13 to understand the partnership we have with the ports, or
14 if there's even something that we haven't thought about as
15 we work to responsibly decommission wells.

16 And then the other point, which none of you have
17 specifically touched on, but something that's really
18 important to our office is the bonding capacity of anyone
19 that's on our State Lands. So that if something were to
20 go wrong, whoever it is, whether it's -- whether it's an
21 environmental group or a port, that we recognize the
22 liability to the State, when something, in fact, has to be
23 repaired or paid for.

24 So we'd appreciate if we could have some
25 discussion about -- and we've started -- I think the staff

1 has done a great job implementing increased bond
2 requirements to make sure that -- that we're insured
3 should something go wrong. And we've certainly learned
4 from past experiences in that regard.

5 So those are our two points in terms of ensuring
6 that the viability of State Lands Commission and continue
7 our partnership and our goals -- our environmental goals.
8 So I completely agree with you that they're not mutually
9 exclusive and how we really work to coordinate those. So
10 thank you.

11 CHAIRPERSON YEE: Thank you, Commissioner Miller.
12 Let me -- I have a couple questions. And it really speaks
13 to a number of different areas. First around the issue of
14 transparency. And, you know, I think, as we think about
15 our partnerships going forward, I think this issue is
16 going to become more and more important, particularly
17 since we are all working in this era of finite resources.
18 And I think we need to just really look at opportunities
19 of where we can be smarter, just capturing those resources
20 but also working with them to meet our goals.

21 We talked a lot about sea level rise, but I
22 wanted to just kind of shift to kind of air quality for a
23 moment and to the ports particularly, with -- under the
24 prior administration, I know that during the Governor's
25 Climate Action Summit, there was really a lot of

1 excitement about ports globally. And I guess I always
2 view ports as kind of being global enterprises. So unique
3 to California, obviously, in terms of the economic impact,
4 but really they have -- all of you really have global
5 reach.

6 So I wanted to just kind of ask whether you're
7 engaged with some of the more global efforts with respect
8 to initiatives like port decarbonization and what's been
9 instructive about that that actually could be brought back
10 to California where it helps us set a direction more
11 immediately and then long term.

12 MR. DIBERNARDO: I think David might have
13 something.

14 CHAIRPERSON YEE: Okay. Come forward.

15 If you'll introduce yourself for the record and
16 then please, welcome.

17 MR. LIBATIQUÉ: David Libatique, Deputy Executive
18 Director, Stakeholder Engagement at Port of Los Angeles.
19 So internationally, we are engaged in a number of working
20 groups, I think dating back to about 2007, starting with
21 C40 and the International Association of Port Harbor --
22 Ports and Harbors. They're with the establishment of
23 World Port Climate Initiative. That evolved into a group
24 that is now largely operating out of IEPH focused on
25 decarbonization of the international supply chain --

1 maritime supply chains.

2 So we are working with -- with those groups to
3 identify policies that could be initiated at a regional
4 level. Many of these policies aren't going to work at
5 just a port or a city level, but need to really be taken
6 at a regional or international level to really have -- to
7 really have an effect. We are looking and working with
8 the South Coast Air Quality Management District to explore
9 ideas around layering incentives to try and incentivize
10 the introduction and deployment of the cleanest available
11 cargo handling ships -- container ships to California.

12 We're working with the IMO on new standards and
13 also trying to educate other ports around the world about
14 doing their own air emission inventories, and then
15 building that up into initiatives that they can also
16 implement in their own ports. And then we can work
17 cooperatively on strategies and tactics that could help us
18 get to the end-to-end supply chain.

19 That includes things like digitization, so a more
20 efficient use of existing assets and resources, and
21 collecting data to see how we can actually lower the
22 carbon intensity of the movement of goods from point A to
23 point B.

24 CHAIRPERSON YEE: Okay. Good. I guess what I --
25 I'll get to you in a moment. You know, this is going to

1 be a fairly high profile area of focus for the Ocean
2 Protection Council. And I think what might be helpful is
3 really to think about -- I mean, I, for one, just need
4 like an inventory of what all is happening, because we're
5 all kind of working just with the goals in front of us.
6 But I think from a statewide perspective, it would be
7 really interesting to pull all of this work together, see
8 how the Commission and the Ocean Protection Council can be
9 helpful relative to looking at where we could utilize the
10 resources of the State, try to advance some of this work.

11 But its -- this particularly has been a bit
12 frustrating to me, because while we've had just some great
13 work and certainly great goals that have been announced
14 more locally and regionally, I think, from a statewide
15 perspective -- and I'm focused on it, because I think this
16 one piece could do so much with respect to how we move
17 relative to reducing greenhouse gas emissions. And so I
18 want to be sure the State is doing our part.

19 Mr. Grundstrom, you had your --

20 MR. GRUNDSTROM: Well, not coming from the port
21 side, but I want to make sure we talk about Commissioner
22 Kounalakis' question about the carbon capture and
23 sequestration project --

24 CHAIRPERSON YEE: Yes. Yes. I was just going to
25 ask you about that.

1 MR. GRUNDSTROM: -- but also really thinking of
2 it as the bridge to --

3 CHAIRPERSON YEE: Exactly.

4 MR. GRUNDSTROM: -- a future of whether it's
5 hydrogen or a decarbonized economy. Really the focus in
6 the interim is on reducing carbon intensity.

7 CHAIRPERSON YEE: Uh-huh.

8 MR. GRUNDSTROM: And projects like the carbon
9 capture project in Bakersfield -- outside of Bakersfield,
10 Central California, some of the details -- and it's -- it
11 is early, and it's a multi-year, and billion dollar
12 project. There needs to be a path to get there. And
13 there needs to be a regulatory environment, and community,
14 and economic supports that are required. But it is an
15 existing power plant. Currently, a natural gas fired
16 power plant. It's built. It provides power to 350,000
17 homes on a daily basis. So the carbon footprint is there.

18 The property is -- actually, California Energy
19 Commission said it's the optimal location for a carbon
20 capture and sequestration project, because it's remote.
21 It's a property that we own and control. It's the old
22 naval petroleum reserve in Elk Hills. It's a oil and gas
23 facility removed from communities. It is -- also, can be
24 tied into the oil and gas facilities, into the existing
25 power plant.

1 So when operational, the plant that we're looking
2 at on a 550 megawatt gas power plant would reduce a
3 million and a half metric tons a year of CO2. That's
4 300,000 cars off -- off of the road through this project.
5 So like I said earlier, it would lead to a 30 percent
6 reduction in our carbon footprint as the largest oil and
7 gas producer in the state of California. It's that
8 bridge, it's that transition through lowering our carbon
9 intensity that gets to the future decarbonized or hydrogen
10 economies in the -- while also having local jobs, having
11 local oversight and steps that can actually get us there
12 without a trillion dollars of infrastructure change.

13 CHAIRPERSON YEE: Thank you, Mr. Grundstrom. So,
14 yeah, Kathy, please.

15 MS. YHIP: Just one note. I'd suggest you also,
16 as you perform the inventory of actions being taken,
17 engage with the utilities.

18 CHAIRPERSON YEE: Exactly what I was just going
19 to ask you.

20 MS. YHIP: We are certainly active in discussions
21 and partnerships with the ports, as well as with Caltrans
22 and metro, looking at ways not only to ensure that both --
23 the ships themselves, as well as the vehicles reduce their
24 carbon footprint, but especially along the I-710 corridor,
25 for example, looking at how much time trucks carrying

1 goods from the port are spending idling on that portion of
2 the freeway and brainstorming about ways to reduce that
3 amount of time.

4 CHAIRPERSON YEE: Yeah. Thank you, Kathy.
5 Appreciate that point.

6 Yeah, please.

7 MR. LIBATIQUÉ: And just to piggyback on that. A
8 question was raised earlier about how to deal with truck
9 congestion. The State Lands Commission may want to
10 consider integrating more of its planning work with
11 current discussion around the California Freight Mobility
12 Plan. Increasingly, the discussion about freight movement
13 is a systems discussion. It's not your traditional just
14 transportation planning discussion, but it's integrative
15 of a lot of other policy areas, including energy, the Air
16 Resources Board, GO-Biz, of course. So it's an economic,
17 environmental, it's a transportation infrastructure
18 discussion, and energy discussion.

19 To the extent that the resources under your
20 charge, State Lands, interact and interface with that
21 system, there may be opportunities for the State Lands
22 Commission to play more of a role there in advancing the
23 policy goals that include congestion reduction, GHG
24 emission reduction, as well as economic competitiveness
25 and commerce.

1 CHAIRPERSON YEE: Yeah, appreciate that.

2 One other observation to make, and that is -- and
3 the reason I'm focused on this is because I want to
4 applaud the Governor for what he really saw, and I think
5 really from his time here at the Commission, but a lot of
6 what he heard I think were -- you know, what are those
7 things that really could help be a bridge, right, to kind
8 of foster this transition.

9 And so I think there are -- there's enough that
10 he's put into his budget. You heard from Mr. Gold this
11 morning, who will play a key role in terms of fashioning
12 this Climate Resiliency Bond. So what could that offer in
13 terms of some additional resources. We've got the
14 revolving loan fund that could really focus on climate
15 tech. We've got money in the budget, which I'm thrilled
16 about, for nature-based solutions. And so, I mean,
17 there's a lot in the works, but -- and I think I share
18 this with Commissioner Miller, but -- money is great, but
19 money is not great if it's not directed to the most
20 efficient and, you know, really most impactful use. And
21 so part of this is just to kind of get a feel for what all
22 are we doing now, so that we know how to, you know, really
23 direct these dollars.

24 And not to say this is enough to really get us
25 over the finish line. It's not by any means, but I think

1 we just want to be much more strategic in terms of how we
2 work together. And I think transparency will be very key
3 in all of that.

4 Okay. So any other questions, Commissioners?

5 Yes, Commissioner Kounalakis.

6 COMMISSIONER KOUNALAKIS: Two more.

7 CHAIRPERSON YEE: Yes, please.

8 COMMISSIONER KOUNALAKIS: So first of all, I just
9 wanted to go back to the marine invasive species question,
10 because I again asked a compound question before. And we
11 didn't really get too much on that, but this is an area
12 where we're going to have to look at the strategic plan,
13 where we've been for the last four years and where we're
14 going. And maybe since the -- your colleague from Los
15 Angeles who works on international issues is up here, you
16 can maybe talk a little bit about where international
17 standards are going around ballast water exchange and new
18 technologies to deal with marine invasive species.

19 But this is going to be an important part of the
20 update. So we have an existing program. We have some
21 goals, at least one pretty significant goal about where we
22 want to be on ballast water. Any additional thoughts
23 about what we need to be thinking about for the purposes
24 of the strategic plan?

25 I have one question after that, but I think I'm

1 going to ask them one at a time.

2 MR. LIBATIQUÉ: Most of the recent discussion
3 we've had around this issue has been around passage of the
4 Vessel Incidental Discharge Act. And that kind of
5 settled, at least in the eyes of the industry, much of the
6 question around the standards that are going to apply in
7 the State of California.

8 So in many ways that kind of ties our hands to a
9 great degree. Internationally, I would have to get back
10 to you about where that discussion resides. But with
11 respect to California versus the rest of the U.S., I
12 thought the passage of that Act was definitive.

13 EXECUTIVE OFFICER LUCCHESI: I will just add that
14 right now the EPA is going through their rulemaking effort
15 to develop regulations to implement that section of the --
16 or the Vessel Incidental Discharge Act. And maybe
17 especially over the course of this year, as we're both in
18 parallel, participating in that rulemaking effort, and
19 really advocating for the protection of State waters, and
20 in conjunction developing our strategic plan that we
21 really work with our port partners to help leverage our
22 relationships, both with the federal regulatory agencies
23 with the international community to ensure that our
24 participation in the rulemaking effort is as effective,
25 and we're leveraging the power that we can in that way,

1 and that that is reflective in our strategic plan,
2 especially if things change in the future.

3 COMMISSIONER KOUNALAKIS: Okay. Last question,
4 again which I think has been really salient to the -- to
5 the most recent strategic plan that we need to be thinking
6 about projecting forward, and that has to do with
7 something we got a little bit of a briefing on when we
8 opened this session, which is the closure of offshore
9 wells and some onshore wells as well.

10 And what we've seen very unfortunately is a
11 pattern of companies that, as soon as they've exhausted
12 the use of these offshore wells, they tend to take the
13 companies, maybe the local affiliate of the company that's
14 operating these wells, throw them into bankruptcy and then
15 essentially leave the State in charge of capping, closing,
16 and disassembling the site, which can cost the taxpayers
17 of California tens of millions of dollars.

18 So the State Lands staff again over the last few
19 years has been very forward-leaning on addressing this in
20 advance by creating mechanisms to raise resources in
21 advance in order to anticipate the possibility of a
22 company basically abandoning and throwing these -- the
23 companies that control the wells into bankruptcy, and then
24 we have to come in and figure out to close them down.

25 Any thoughts from this panel about -- you know,

1 because you're all experts, not necessarily in direct
2 jurisdiction, but you work closely with us. And this is a
3 really important issue for us. And probably if -- the
4 most costly thing that we, as stewards of the Public
5 Trust, have had to deal with.

6 So I'd appreciate from this panel any thoughts
7 about what more we can do to ensure accountability, so
8 that the taxpayers and the people are not left holding the
9 bag.

10 MR. GRUNDSTROM: As the oil and gas person on the
11 panel, I'll go first.

12 (Laughter.)

13 MR. GRUNDSTROM: And it's part of my answer, it's
14 about being proactive. There's really two elements to it.
15 It's being proactive, which I think we've accomplished
16 here in the two main fields where we heavily interact and
17 where the State would have the most exposure, that's in
18 Huntington Beach and in Wilmington. But it's also about
19 having a viable future, an investable future where there's
20 a continued encouragement in the maintenance of the assets
21 and a continued encouragement in the innovation around the
22 assets.

23 Unfortunately, the two examples -- two of the
24 examples the State is dealing with were companies that did
25 not have diverse assets and did not have a viable future,

1 due to events related to their facilities or the
2 facilities they were connected to. So part of being
3 proactive is making sure that you always have a viable
4 future.

5 And that's -- those are things that we've done
6 through our diversity of our assets as CRC, but also
7 through direct relations and interaction with staff and
8 State Lands here in Sacramento to be proactive in
9 Huntington Beach with the lease amendment a couple --
10 three years ago now, where we have provided a security
11 lien on 90 acres of ocean-front property.

12 It's a pretty valuable resource underlying the
13 oil and gas field, in addition to agreeing proactively
14 beyond any regulations or measures required by CalGEM or
15 DOGGR at the time, to abandon wells on Platform Emmy and
16 to agree to abandon all idle wells over a five-year
17 period. We're more than halfway there.

18 We have a commitment to work with third-party
19 consultants InterAct to -- I believe State Lands is
20 working with on some of these projects to provide
21 estimates for the potential exposure, if there were to be
22 a doomsday scenario, or if -- you know, if there were to
23 be a liability that came from those properties. We did
24 that prospectively, proactively in advance of requirements
25 through legislation or in advance of any needs -- actual

1 needs for it.

2 So we've been proactive there in Huntington Beach
3 and also we've been proactive in Wilmington, where we've
4 helped lobby for an increase in the Oil Trust Fund
5 abandonment liability, which is at \$300 million today --
6 funded at 300 million. We've lobbied to increase that.
7 And we work regularly to do what we can to lower that
8 long-term liability, but really be proactive. Let's
9 increase that in advance.

10 So those are the two key elements is the viable,
11 investable future, which is -- and diverse I think is
12 critical, and secondly being proactive about any sort of
13 sureties, abandonment requirements. Don't wait until it
14 becomes a problem. Talk about it before.

15 COMMISSIONER KOUNALAKIS: Did you -- did staff
16 have any thoughts about this, because again I know it's
17 a -- it's a big part of the work that you're focused on.

18 EXECUTIVE OFFICER LUCCHESI: Right. Yes. Well,
19 Mr. Grundstrom talked about, I think, the two examples
20 most recent that we have been very involved in working on,
21 the lease amendment with the Huntington Beach assets,
22 which was really a creative solution that bore out of not
23 only our experience with Platform Holly and with Rincon
24 Island, but also understanding the bond market, and
25 realizing that that was not at a capacity that could

1 actually fulfill and meet the requirements that California
2 had.

3 And so with companies like CRC being creative in
4 how we bridge that gap between existing bonding capacity
5 and markets, and the actual exposure that the State faces,
6 coming up with things like the lien on the upland property
7 that Mr. Grundstrom mentioned.

8 I would also say that this is something that we'd
9 love to engage with our grantees and lessees on, because
10 it's not obviously just oil and gas facilities. It's all
11 kinds of infrastructure on State property that we are
12 grappling with end of life, and what that means when the
13 lessee or the owner of that infrastructure -- because the
14 State Lands Commission really just owns the land
15 underneath it -- when the owner of that infrastructure is
16 no longer capable of fulfilling its obligations to remove
17 and restore the leased premises.

18 So it's -- really, I think there's a lot of
19 cross-cutting themes, particularly with ports that manage
20 significant assets along with our major commercial and
21 industrial lessees that have similar concerns.

22 So that's something that we hope to be able to
23 learn from and then infuse our next strategic plan with
24 ideas on how to deal with in the future.

25 CHAIRPERSON YEE: Great. Thank you. As we

1 conclude this panel, several of you have made mention of
2 this. But I wanted to just put a pin on a couple of
3 issues. One is we have the foundation of where we carry
4 out the business of the Commission, you know, really
5 looking at integrative technologies to achieve operational
6 excellence. I don't want to forget about the people part
7 of this. I think the statement about the institutional
8 knowledge could not have been understated. And so if
9 there's a way to continue to look at how to be innovative
10 in terms of continuing to develop the -- you know, the
11 human capital that's going to be required in terms of all
12 of us moving forward.

13 And then secondly as we talk and continue to
14 value the partnerships that we -- in which we engage to do
15 our work together, I do think there's probably a need to
16 stress, and maybe it's the times that we're in hopefully
17 to be looking different soon, but the idea about advocacy.

18 You know, we're charting into a lot of new
19 territory, I think, in terms of the advocacy. It's
20 probably going to look very, very different. We're going
21 to have different kinds of partnerships, not necessarily
22 the usual, you know, kinds of partnerships going in. Just
23 really trying to be very, very vocal about the goals that
24 we're trying to achieve, certainly and the mission of this
25 Commission, but that advocacy is very much a part of the

1 partnership work that we're going to be doing going
2 forward as well.

3 Okay. Other comments from Commissioners?

4 I want to thank all of the panelists for a very,
5 very robust conversation. To be continued. But very much
6 appreciate the observations and really the forthrightness
7 and the honesty about what this Commission needs to really
8 focus on going forward. And we look forward to our
9 continued work on the plan.

10 Thank you all very much.

11 (Applause.)

12 CHAIRPERSON YEE: I want to just check with our
13 audio/video folks. Do you need a break or are we okay?

14 Okay. We're good. Very good. All right. So I
15 think Jennifer -- oh, okay.

16 EXECUTIVE OFFICER LUCCHESI: Oh, I was -- I was
17 just going to ask if -- you need a break, do you think?

18 THE COURT REPORTER: (Nods head.)

19 EXECUTIVE OFFICER LUCCHESI: Maybe five minutes.

20 CHAIRPERSON YEE: Sure.

21 EXECUTIVE OFFICER LUCCHESI: And it will help us
22 get set up for the next panel.

23 CHAIRPERSON YEE: Absolutely.

24 EXECUTIVE OFFICER LUCCHESI: Okay.

25 CHAIRPERSON YEE: That would be great. Thank

1 you. We'll take a five-minute break then.

2 (Off record: 12:18 p.m.)

3 (Thereupon a recess was taken.)

4 (On record: 12:35 p.m.)

5 CHAIRPERSON YEE: Okay. All right. There we go.
6 Thank you.

7 We'll proceed with the second panel. And let me
8 turn it over to Ms. Lucchesi, because I think we may have
9 some time constraints with some of the panelists, so --

10 EXECUTIVE OFFICER LUCCHESI: Right.

11 CHAIRPERSON YEE: Thank you.

12 EXECUTIVE OFFICER LUCCHESI: Thank you so much.

13 So I'll just do a quick introduction and then if it's okay
14 with the panel, we'll start with Mari Rose, since she does
15 have to get back on the road pretty quickly.

16 So we have Linda Krop from the Environmental
17 Defense Center, Mari Rose Taruc representing -- Mari Rose
18 was instrumental in helping us develop our Environmental
19 Justice Policy and implementation plan. And she traveled
20 from the Bay Area to help provide some insights and
21 perspectives today.

22 Bill Magavern from Coalition for Clean Air.
23 Theresa Simsiman from American Whitewater, Jay Ziegler
24 from The Nature Conservancy, Jennifer Savage from the
25 Surfrider Foundation, and Kathryn Phillips from the Sierra

1 Club.

2 Thank you all for making the time for us today.

3 So Mari Rose.

4 MS. TARUC: Wonderful.

5 CHAIRPERSON YEE: There you go.

6 MS. TARUC: All right. I think I have five
7 minutes roughly.

8 Great. So Mari Rose Taruc. As Jennifer said, I
9 worked with the Environmental Justice Working Group to
10 help expand the Commission's understanding of
11 environmental justice and what that meant to us related to
12 your jurisdiction of State lands. And there were several
13 environmental justice groups across the state who poured a
14 lot of their heart and their ideas into your Environmental
15 Justice Policy. And I want to be able to echo some of
16 those, so that it makes it into your strategic plan.

17 I think I want to start with a landscape of where
18 the environmental justice movement is at this moment in
19 looking forward in time, as well as three recommendations
20 for you for your strategic plan.

21 In the environmental justice recommendations and
22 for your policy, it's still about stopping the harm to
23 environmental justice communities, disadvantaged
24 communities, low-income communities of color when it comes
25 to the toxics and pollution that is produced in this

1 state. It's about cleanup of existing facilities that you
2 also have jurisdiction over. And it's about creating
3 opportunities for our communities and workers to be able
4 to survive and thrive through the time.

5 Key -- key issues in the landscape are when
6 Governor Brown extended the Cap-and-Trade Program, which
7 the environmental justice community opposed, the piece of
8 that that we are trying to kind of fix is that we need to
9 see emissions reductions in communities. And so AB 617,
10 that law, has a piece of it that's about community
11 emissions reductions plans.

12 So it looks at the sources in our communities
13 from ports, to freeways, to refineries, and power plants,
14 and it tries to create goals so that we can see those
15 reductions in the community firsthand.

16 Another opportunity is national conversation, but
17 also in California and local jurisdictions is the Green
18 New Deal. We want to be able to tackle the climate crisis
19 and tackle our economic inequality at the same time. And
20 so where are those opportunities together? And we want
21 the big ideas to come.

22 I think it helps build on the work of the SB 535
23 coalition and the investments in disadvantaged communities
24 for climate projects that I got to work with the Asian
25 Pacific Environmental Network, and Coalition for Clean

1 Air, and other organizations on. There are ways to invest
2 in our communities that actually cleanup, and revive, and
3 revitalize our communities that are big climate projects
4 that takes billions and trillions of dollars.

5 I think with the Green New Deal also is the
6 conversation around a Red New Deal around how we repair
7 relationships with indigenous folks that are originally of
8 this land. And so I want to thank that you did a land
9 acknowledgement, and it recognized that that is an
10 important piece of the State Lands Commission in repairing
11 the relationship that you have with the indigenous folks
12 that were removed from this land.

13 So my three suggestions for you in your strategic
14 plan involve ancestral land returns, manage decline of
15 fossil fuels, and diversifying.

16 So let me take each of those. In ancestral land
17 returns, it was one of the biggest recommendations in the
18 Environmental Justice Policy from the Environmental
19 Justice Working Group that we gave to you. Recognizing
20 that your history of acquiring the lands involved
21 genocide. And so how is it that you can repair that
22 history and that there's still opportunities to do that.

23 I think when I -- when I've -- I've been doing
24 climate change work for a long time. And I think we could
25 say that climate change started with the forced removal of

1 indigenous people and the original stewards of this land.

2 And that we can solve climate change by taking
3 lead from the indigenous folks who have thousands of years
4 of knowledge about stewarding this land, and what are the
5 opportunities to solve the climate disaster.

6 One of the campaigns that the environmental
7 justice community is working on is the PG&E disaster,
8 their wildfires, their shutoffs. Where are oppor -- where
9 are overlaps between solving the utility crisis with PG&E
10 and State Lands?

11 There are opportunities, like, we've heard the
12 ancestral land returns that have already happened with the
13 Kashia Pomo and the Maidu. And so can we -- let's learn
14 from that and let's do more of that. And so, yeah,
15 repairing those relationships and looking for those
16 opportunities for ancestral land returns.

17 Second is the managed decline of fossil fuels.
18 The environmental justice movement sees a lot of alignment
19 with Governor Newsom's administration on his environmental
20 policies and priorities around managed decline of fossil
21 fuels. We think that that involves stopping new projects.
22 And so praise the Commission on -- on the Puente power
23 plant that is not a power plant, because the community,
24 and the Commission, and others put a stop to that. So
25 let's see more of that and lets not -- let's not introduce

1 the opportunity for any new fossil fuel projects.

2 We want to hear words from you like
3 "decommissioning".

4 (Laughter.)

5 MS. TARUC: That was lovely to hear that when the
6 EJ working group was working with you. And it's like,
7 wow, you can decommission things. Yes, let's see more of
8 that, because EJ communities still struggle with oil
9 terminals, dirty gas plants, nuclear facilities, you name
10 it. They're still there and we want to see them gone. We
11 want to see our communities become whole again and our
12 relationships to the land and climate become whole again.

13 And so there's a just transition. You've heard
14 us talk about a just transition principles moving from an
15 extractive economy to local resilient communities. We've
16 also -- and that involves talking and planning with
17 workers and communities about how to take on a just
18 transition.

19 I think I'm close to time, so I want to go into
20 the third recommendation around diversifying. We think
21 not just diversifying your programs -- well, yes, looking
22 at instead of fossil fuels renewable energy that meet the
23 needs of Californians, who are the majority of the
24 state -- people of color the majority of the state, black,
25 brown, Asian, indigenous.

1 And so to diversify even the relationships that
2 you have in the community around those communities -- and
3 I know I was -- I wasn't on this panel as of last week,
4 but I am today. Part of it is you wanted to diversity on
5 this panel, because there are a lot of environmental
6 organizations that are still largely white. And so how is
7 it that you're working more with environmental justice
8 groups and low-income communities of color, so that your
9 programming is very much in relationship with us.

10 And so that involves diversifying your community
11 engagement, which communities you engage with. I still
12 want to call the recommendation from the EJ working group
13 around an environmental justice advisory group. How are
14 you having consistent and constant relationships with EJ
15 communities? And so that's one way or you may find
16 another way, but it's focused on that, and part of the
17 culture shift of this Commission in relationship with
18 environmental justice communities and the climate justice
19 and just transition vision that we have.

20 Thank you.

21 CHAIRPERSON YEE: Thank you so much, Mari. And
22 thank you so much for your leadership and your partnership
23 with the Commission on developing the Environmental
24 Justice Policy. And I can assure you it is really being
25 integrated in everything that we're doing here.

1 Thank you.

2 Okay. Let me move back down to Linda, if
3 you'll...

4 MS. KROP: Good afternoon. I'm with the
5 Environmental Defense Center, which is a public interest
6 environmental law firm that was founded after the 1969 oil
7 spill in Santa Barbara. And we work in Ventura, Santa
8 Barbara, and San Luis Obispo counties.

9 We also helped write the California Coastal Act
10 in 1994 with then Assembly Member Jack O'Connell. And I
11 want to acknowledge all the work that has been done by the
12 State Lands Commission since then to change the map. And
13 I think more than 20 former State oil and gas leases have
14 been quitclaimed or terminated.

15 Most recently, the POO, Carone, Signal Hill
16 leases off Carpinteria in our service area. And I can
17 bring you word from our community that people were very
18 appreciative of that act. I know it was courageous and
19 controversial, but it did not go unnoticed.

20 The Environmental Defense Center, in addition to
21 working on oil and gas issues, we are a participant in the
22 BOEM California Intergovernmental Renewable Energy Task
23 Force. So we are looking at that transition.

24 I also want to acknowledge the work of the State
25 Lands Commission, in terms of dealing with legacy wells.

1 We deal with those issues offshore Summerland and Ellwood,
2 and have been monitoring very closely the decommissioning
3 of Platform Holly and 421 Piers, and want to share the
4 appreciation again from our community for the transparency
5 on your website, but also the town hall meetings that your
6 staff have been sponsoring in our area. And they've been
7 very well attended, and people are very appreciative of
8 that.

9 So in terms of the questions that were posed,
10 what needs to be eliminated, changed, or added to the next
11 strategic plan. We would like to see the Precautionary
12 Principle up front in line with Pew Commission
13 recommendations. We would like to see the phase-out of
14 fossil fuels. We don't have much time left. It is the
15 most effective way to address some of the key goals in the
16 existing strategic plan to prevent marine pollution and
17 also address climate change.

18 We would like to see concerted focus on
19 decommissioning of oil- and gas-related facilities. Right
20 now, there are several in process, but there will be more
21 to come. We want to make sure that there are no new
22 leases issued. And with the quitclaim of the Venoco
23 Ellwood leases, the only threat in State waters now are
24 the potential leases in the Tranquillon Ridge. And so
25 I'll talk more about that in a little bit here.

1 We want to ensure that the Commission maintains
2 the focus on public access, which will become a lot more
3 challenging because of retreating shorelines and sea level
4 rise that will narrow our beaches. And we're already
5 seeing it in our area especially. I want to acknowledge
6 Goleta Beach, which is subject to increasing erosion
7 because of coastal armoring. And so we'd like to see the
8 Commission help facilitate more natural adaptive
9 management solutions that don't increase erosion and
10 reduce public access.

11 And with respect to -- specifically to platform
12 decommissioning decisions that will come in the future, I
13 want to acknowledge the Chair's comments at a recent
14 decommissioning workshop that any decision needs to be
15 science based. And we appreciated that comment.

16 And some of the issues that will need to be
17 addressed include safety, invasive species, and legacy
18 pollution, which we continue to see where the Chevron
19 platforms off of Summerland were not fully removed. And
20 there are huge debris mounds with toxic chemicals.

21 The second question, what needs to be continued?
22 Definitely the commitment to protecting Public Trust
23 resources. The State holds these resources in trust for
24 the public for us and for future generations.

25 Invasive species were mentioned earlier. That's

1 only going to become more challenging with a changing
2 climate.

3 Sea level rise. We would like to see continued
4 partnerships and increased partnerships with local
5 agencies, so that they can do a better job at adaptive
6 management and natural alternatives. We'd like to see
7 consideration of Marine Protected Areas in all planning
8 and leasing decisions. And we would like to see continued
9 transference of Public Trust Lands to the California
10 Coastal Sanctuary.

11 We'd like to see more focus on renewable energy,
12 including offshore renewable energy. And that's where the
13 Commission could help with data collection, and again, a
14 science-based approach in terms of planning and siting.

15 We appreciate and want to see the continuance of
16 the coastal hazards and legacy oil and gas removal and
17 remediation program, again in particular Summerland and
18 Ellwood.

19 We appreciate the State's role in data
20 acquisition, compilation and accessibility, and a
21 commitment to public access to decision making. And one
22 comment we've made on that in the past is when the State
23 Lands Commission holds public hearings, one thing that
24 would make them more convenient for the public would be to
25 move public comment to the beginning of a meeting, so that

1 people would be encouraged to come and they wouldn't feel
2 like they had to wait through three, or four, or five
3 hours of hearing to speak.

4 With respect to the Commission's top priorities
5 over the next five years, we think it's important to
6 stress the connectivity between issues, whether it be, you
7 know, human activities, marine protected areas, invasives,
8 the communities that are affected by the Commission's
9 decisions. We'd like to see a swift transition to clean
10 renewable energy. And as I'm sure everybody is talking
11 about just how to deal with sea level rise, you know,
12 adaptation, coastal erosion, and habitats that are
13 affected by that.

14 The answer to the next question is basically the
15 same. I think the Commission's biggest challenge lying
16 ahead is climate change and how it affects our beaches,
17 habitats, and infrastructure.

18 And then finally, how does the Commission balance
19 sustainable economic growth? It's really important to
20 provide equity for all communities, because all
21 communities have a right to economic success, quality of
22 life, and a clean healthy environment.

23 Information should be available in multiple
24 languages. The Commission may want to consider where
25 hearings are located to make sure that affected

1 communities can participate. Even hearings can be very
2 helpful for a lot of communities. We want to note the
3 importance of tribal engagement and consultation with all
4 tribes. And I want to express my appreciation to the
5 State Lands Commission staff that they do honor that.
6 They reach out to all tribes. And we have a lot of
7 unrecognized tribes in our area, and that's really
8 important. And then finally, we support hiring an
9 Environmental Justice Liaison.

10 Thank you.

11 CHAIRPERSON YEE: Thank you very much, Linda.
12 Bill.

13 MR. MAGAVERN: Thank you.

14 I support the comments that have already been
15 made by Linda and Mari Rose and appreciate the progress
16 the Commission has made on renewable energy, enforcement,
17 and environmental justice.

18 And I will focus my comments on the problems
19 caused by the emissions into our air and atmosphere by the
20 movement of goods in and out of California's ports.

21 The Commission has jurisdiction to act to reduce
22 the level of harmful air pollution generated on these
23 Public Trust Lands. The Public Trust Doctrine and
24 California Constitution require that Public Trust Lands
25 are held in trust for the people of California.

1 The Commission has residual and review authority
2 over all granted sovereign lands. And this authority
3 allows the Commission to investigate, audit, and review
4 the administration of all tideland and submerged land
5 grants for compliance with granting statutes and other
6 laws.

7 Although, the Commission has a great deal of
8 jurisdiction over these Public Trust Lands, we think the
9 Commission has not yet fully utilized all this authority,
10 and we look forward to the Commission in the future
11 playing a greater role in the oversight of Public Trust
12 Lands to ensure that they are being used in keeping with
13 the public's best interest. We think the strategic plan
14 can be a vehicle for this change.

15 California's ports are very important to our
16 economy, but they're also a major source of air pollution.
17 And their activities have a direct adverse impact on the
18 lives and health of California residents living near port
19 facilities.

20 And Mari Rose talked about the fact that the
21 State recognized in a new law three years ago that we need
22 to protect the air at a community level, not just a
23 regional and statewide level. And at the community level,
24 we find that very often the most emissions are coming from
25 the movement of goods.

1 The implementation of cleaner trucks,
2 locomotives, cargo handling equipment, and ship emissions
3 capture technology is urgently needed for many reasons.
4 We need to reduce the premature death and illness in port
5 communities, and we need California to meet our State and
6 federal air quality standards, as well as to reduce our
7 heavy contribution to the climate crisis, which includes
8 the rising sea levels that we've been talking about.

9 The good news is there are solutions available.
10 There are zero-emission and alternative fuel technologies.
11 And those are necessary for California to meet these
12 challenges. Now, in the last strategic plan, you do have
13 a targeted outcome to work with the Commission's grantee
14 ports, relevant local, State, and federal governmental
15 agencies, and non-governmental organizations to ensure
16 port policies and programs are consistent with, and then
17 cites a variety of the plans that the State had, which
18 were relevant at the time.

19 Now, since then, of course, we have a lot of new
20 plans. Something we come up with a lot in California is
21 plans. And, of course, we need to focus on how we're
22 actually going to reach the goals in those plans. So I
23 would suggest that you substitute now the State
24 Implementation Plan, which is how we try to deliver
25 healthy air to Californians, SB 32, which, of course, sets

1 the challenging target of reducing our greenhouse gas
2 emissions 40 percent by 2030, the carbon neutrality by
3 2045 goal that was set by Executive Order, as well as the
4 State's Sustainable Freight Action Plan, which sets a
5 number of goals for the goods movement sector that I've
6 been talking about.

7 So I appreciate the fact that Commissioners Yee
8 and Kounalakis have already asked about the air quality
9 issue. I think the Commission can help by supporting the
10 vessels At-Berth Rule that is now pending at the Air
11 Resources Board. This requires the ships to reduce their
12 emissions when they're at the ports and can have a major
13 beneficial impact on the people living downwind from those
14 ports.

15 We also think you can help in advocating for more
16 investment in these advanced clean technologies from the
17 Greenhouse Gas Reduction Fund, from the Transportation
18 Commission's Trade Corridor Enhancement Program, as well
19 as other pots of funding, because it takes -- in addition
20 to strong regulatory standards, it takes incentive dollars
21 to make sure we're continuing to advance the technology
22 and also turnover the dirty engines, mostly diesel
23 engines, into the cleaner alternatives that we have
24 available.

25 And we also would urge the Commission to push for

1 cleaner trucks at the ports well before 2035, because the
2 people in these communities have been waiting a long time
3 to get relief from the toxic diesel exhaust coming from
4 the trucks serving the ports, and 2035 is just too long to
5 wait.

6 So we do think it's entirely possible to balance
7 these environmental goals with continuing to have the
8 goods movement industry be a major driver of economic
9 success and job creation in the state. We can do it by
10 making the transition to these cleaner technologies and
11 hastening that as much as possible.

12 Thank you.

13 CHAIRPERSON YEE: Thank you, Bill, very much.

14 Theresa.

15 Thank you, Mari.

16 MS. TARUC: Thank you.

17 MS. SIMSIMAN: My name is Theresa Simsiman and I
18 am the California Stewardship Director for American
19 Whitewater and I would like to thank the Commission for
20 inviting me here today to speak on this panel.

21 I am speaking on what we consider, or has been
22 considered, kind of the low-hanging fruit in the strategic
23 plan, which is access to our inland waterways. One of the
24 accomplishments that we were very pleased to see was the
25 2017 legal guide to access of our rivers in the state.

1 And I would like to talk a little bit about our
2 organization, and why this is important in the strategic
3 plan, and to expand on it in terms of outreach to the
4 public.

5 So basically, we are a national river
6 conservation that has a mission to protect and restore
7 American's waterways. Our vision, our values center
8 around restoring developed rivers that have been affected
9 by hydropower projects, protecting the wild and free
10 flowing rivers that we have out there today. We
11 participate in forest planning to identify wild and scenic
12 rivers in our state for extra protection there. And then
13 lastly, the public has -- we want to make sure that the
14 public has access to our rivers. So again, the reason why
15 the legal access guide was important to us.

16 What we would like to see, in terms of the access
17 guide - and let me just get to my notes here. Sorry - is
18 a continuation of some of the key actions that you had in
19 the strategic plan.

20 You've got the access guide. But what we would
21 like to see is the outreach to the other governmental
22 jurisdictions and to the public to be a little more
23 robust. As I've mentioned in some of the discussions that
24 we've had, we often get the public coming to us saying how
25 do we solve -- we can't -- we're not allowed on this

1 river. The landowners are not allowing us on there. And
2 first, we have to determine, you know, do they have a
3 legal right to do that?

4 And I have given this legal guide to many of the
5 people that have been working on access at the bridges
6 that are being replaced throughout the state over rivers.
7 And there are some legalities about that concerning access
8 and recreation and people don't know about it. So having
9 this guide, I've been able to give it to them.

10 But the issue being that it's often hard for just
11 the regular folk to navigate the State agencies, and
12 especially Caltrans. And Caltrans has a legal obligation
13 to do recreation feasibility -- access feasibility studies
14 when they replace a bridge over -- over a river. And it's
15 often hard for us to bring that out to them, because they
16 just -- they don't have this legal guide in front of them.
17 And we're often brushed off, not spoken to, you know, in
18 terms of what needs to be done, and being told that we
19 have to identify the rivers that are important to us and
20 then go to them and tell them, instead of the other way
21 around for them knowing that they have this obligation
22 every time they replace a bridge to look at access to the
23 river, and just doing it on all of their projects.

24 So in other words, it's kind of selective. It's
25 random of whether someone is paying attention and saying

1 this needs to be done, where it should be done the other
2 way.

3 Also, later on, and hopefully with more dialogue
4 with the Commission, we'd had like to address the
5 brochure, because we do have a concern about the
6 difference that was laid out in the brochure between
7 Public Trust land, rivers, and navigable waterways, in
8 terms of what can be done below the high water mark. I
9 think that needs to be clarified and it is a concern of
10 ours going forward. So I would like to see more
11 conversation on that.

12 And then we talk about equitable access in terms
13 of physically being able to get to the river, physically
14 being able to enjoy the land. But I think equitable
15 access needs to be addressed also in the information in
16 the technology that you guys have improved. I went on the
17 site. Love all the GIS information that you can download
18 from the State. But the regular person isn't going to
19 know how to navigate that.

20 So how do you get that information in a form that
21 the regular people can use to advocate as opposed to
22 having, you know, a masters in how to do GIS.

23 And then thirdly, the last thing I wanted to
24 bring up is something that -- on everybody's mind, PG&E
25 and the utilities. They have a lot of hydropower projects

1 throughout the state. And I have brought this up. They
2 are going to be identifying the facilities that they are
3 going to decommission. And how is that going to access --
4 affect the rivers in the State Trust. On the Eel, we have
5 the Potter Valley Hydropower Project, which is going to --
6 they said they are going to decommission. So how are you
7 going to navigate that in terms of how it affects the Eel
8 River and the Russian River? And that is just one
9 example.

10 And PG&E is only one utility. There are quite a
11 few hydropower infrastructure that need to be
12 decommissioned or are -- need to be improved. And I think
13 the strategic plan should address that, how is that going
14 to be taken forward?

15 Thanks so much.

16 CHAIRPERSON YEE: Thank you, Theresa.

17 Jay.

18 MR. ZIEGLER: Controller Yee, Lieutenant Governor
19 Kounalakis, Director -- or Commissioner Miller, and
20 Executive Director Lucchesi, thank you for the opportunity
21 to be here today. My name is Jay Ziegler. I am
22 representing The Nature Conservancy as its Director of
23 Policy and External Affairs.

24 The Conservancy has worked very actively, in part
25 on the last strategic plan. We've been a very engaged

1 science collaborator, transactional partner with the State
2 Lands Commission, project partner, policy partner from
3 coastal habitat issues to Desert Renewable Energy
4 Conversation Plan, marine spatial planning, ballast water,
5 and you name it. I mean, we've greatly appreciated the
6 accessibility of the Commission, its -- and its interest
7 candidly and best available science to address the issues
8 before the Commission.

9 And I think I want to underscore that I really
10 feel that you've gotten a lot of thoughtful input from my
11 fellow panelists. And I really embrace the comments that
12 they've brought forward today. I want to talk about a
13 couple of potential areas that maybe have changed since
14 the last strategic plan, and one that's been informed
15 perhaps a bit by challenges in working with the new
16 administration in Washington -- or the existing
17 administration in Washington.

18 But let me jump in. I mean, I think the new
19 imperatives that we all understand the urgency of climate
20 change today at a much deeper, more immediate level than
21 we have before. And I think the Commission has an
22 opportunity, by virtue of its Public Trust
23 responsibilities and its lands and water portfolio, to
24 really make an impact, both on a direct engagement, direct
25 action level, as well as a lead on policy.

1 And let me start on science, because I think that
2 what the State is lacking is a real climate clearinghouse.
3 A couple of my colleagues have talked about the lack of
4 accessibility of science that can really be understood in
5 a decision-making way at -- on a street level. And I
6 think that that's -- we really need to dis -- de-mystify
7 that. And the State could look at models like Australia's
8 National Science Program, the CSIRO model, to really
9 better integrate all climate information as we begin to
10 make management decisions at a landscape scale across
11 California to really have decisions that actually hold,
12 that have benefits for people, and more sustainable
13 communities, and that have benefits for conservation and
14 biodiversity in integrating conservation strategies on a
15 much more holistic level.

16 And we just can't do that today. And I think
17 that the -- with the leadership of the Commission, in
18 gaining more accessible science, it doesn't necessarily
19 come from your budget, but rather comes from a bigger base
20 of science that we can all work from, utilize, and inform
21 land-use decisions, development decisions, how we
22 decommission plants, how we move to a renewable economy
23 more effectively. We need that clearinghouse to be a much
24 higher level, much more integrated source of science and
25 decision making.

1 Second, I think it's -- the Commission's reliance
2 on a couple of oil fields for most of its budget is a
3 pretty perilous place to be as you look five years out.
4 And I think the Commission has to begin a diversification
5 strategy for its revenue base on a really holistic basis.
6 And I think that where I might suggest starting here is
7 actually in a common ground with the Port of San Diego,
8 which is, as we necessarily harden cities and
9 infrastructure on the coast, tidal energy has to go some
10 place. That's a law of physics. And we're -- we can't
11 fight that.

12 And so the Commission could really play a leading
13 role working with Caltrans, Department of Water Resources,
14 and other entities to think about how we actually approach
15 a much more holistic strategy for mitigating the impacts
16 of climate change, especially sea level rise on the coast,
17 and with that, also flood risk as well as fire risk in
18 other places that have real impacts for people on the
19 ground.

20 And so I think just tackling this issue of how
21 we -- how the Commission could provide State leadership on
22 the climate change challenges for us -- before us is
23 really imperative.

24 The other one is a number of years ago the
25 Commission was the leading voice in helping the State get

1 to a unified position on the Desert Renewable Energy
2 Conservation Plan. That work regrettably has been really
3 thrown out the window by the current administration in
4 Washington.

5 I think all Californians would benefit by a
6 renewed focus in driving either this administration, or
7 hopefully in -- a broader thinking approach to address the
8 imperative of adopting the Desert Renewable Conservation
9 Plan, which is supported by the virtually all stakeholders
10 today, except for a few outliers, to actually make that a
11 more durable conservation strategy in the desert, around
12 which development decisions for both solar and other
13 renewables will benefit, as well as conservation. And so
14 we've got to -- we really need to get around this corner
15 on some really sticky issues.

16 Embedded in the Commission's strategy here was
17 an -- was a very innovative effort that Commission staff
18 led to launch a memorandum of action with the Bureau of
19 Land Management in the last administration to do large
20 scale land exchanges that would benefit again both
21 conservation and development of renewable energy. We
22 should put renewed focus in that.

23 A concern would be that the Commission will need
24 to direct additional resources toward capacity and its
25 land transactions ability to do these kinds of land

1 exchanges, to do other land swaps on the coast that may be
2 in the benefit of local communities across the state.

3 So I think that that's an area where the
4 Commission will also need to add capacity. And I would
5 agree with my colleagues here today that from a point of
6 engaging indigenous communities to disadvantaged
7 communities and better understanding, and being actively a
8 partner in your work, there has to be additional capacity
9 in the Commission to do outreach work, to really deliver
10 that linkage to your policy advocacy and a vision for how
11 California adjusts to climate change, and those are big
12 challenges.

13 And I think that, in particular, addressing
14 this -- the importance of having continuity and
15 predictability in your revenues over the horizon may be a
16 project that you need to go outside traditional State
17 resources to really think about how does the Commission do
18 its work, do its work especially aligned with Public Trust
19 responsibilities in -- and helping the State address
20 climate change, which is just an immediate imperative.

21 And we thank the Commission staff for its
22 attention to this incredible varied portfolio that you
23 manage. I have not really touched on the Cadiz Project,
24 but there is -- there is a place where our organization
25 and others have been very actively involved in the work of

1 the Commission to deliver a balanced and sustainable water
2 management policy for California.

3 And we greatly appreciate the work of how the
4 Commission can use its leverage across State Lands to
5 achieve bigger policy outcomes. So thank you for the work
6 you're doing and we look forward to working with you in the
7 future.

8 CHAIRPERSON YEE: Great. Thank you, Jay.
9 Jennifer.

10 MS. SAVAGE: You know, I did radio for 14 years,
11 and I just forget to turn the microphone on. It's -- all
12 the time.

13 (Laughter.)

14 MS. SAVAGE: So thank you for having me here
15 today. I really appreciate it. And I definitely want to
16 echo the remarks of my colleagues. I'll try to not be too
17 repetitive. Although, I will talk about sea level rise.
18 And I know that you're all familiar with the Surfrider
19 Foundation. But I thought it would be worthwhile to
20 quickly provide an overview of our mission to explain the
21 context for how we evaluated the strategic plan.

22 Surfrider is an international organization
23 dedicated to the protection and enjoyment of the world's
24 oceans, beaches, and waves through, and this is the
25 important part, a powerful activist network. We have more

1 than 80 chapters in the United States. We have more than
2 20 in California. I can't give you the exact number,
3 because there's new high school and college clubs coming
4 up all the time.

5 Collectively, our network is on the front lines
6 of beach access, water quality, coastal preservation,
7 plastic pollution, and ocean protection. And it's our
8 chapter volunteers who really drive what we do.

9 And while surfrider and the State Lands
10 Commission have differed on some coastal projects, our
11 mission and yours have generally more often aligned over
12 the years, including on such efforts as defending the
13 public's right to access Martins Beach, the ongoing joys
14 of that, applauding your leadership on pay equity at the
15 Mavericks Surf Contest, and elevating efforts to address
16 the pollution crisis happening at the Tijuana River
17 Valley.

18 We commend the 2019 successes and your staff
19 frankly deserves a huge shout-out for being such a
20 progressive, modern, responsive agency that is evolving in
21 a deliberate and self-aware way.

22 Which brings me to the priorities ahead. I made
23 a list when I was thinking about this, but it really is
24 more like a web or maybe a Venn Diagram, because, of
25 course, what happens in one area affects the others. For

1 example, the response to sea level rise will define your
2 approach to coastal access, which has equity consequences.

3 And as a practical matter, no single issue puts
4 California's identity and economy at risk as much as the
5 pending impacts of sea level rise.

6 But even if the State Lands Commission
7 prioritizes responding to and prioritizing -- I'm sorry,
8 responding to and preparing for sea level rise in the most
9 proactive way possible, if other State agencies aren't on
10 the same page, then our beaches will be lost.

11 And so first and foremost, we suggest building on
12 the Public Trust coordination project model to maximize
13 alignment between all State agencies to ensure that sea
14 level rise adaptation is adequately factored into all
15 projects and policies in a way that maximizes coastal
16 preservation and access, because clearly we really need
17 our beaches.

18 And this also ties into the current strategic
19 goal of engaging Californians to help safeguard their
20 trust lands and resources, because so many people don't
21 realize the risks that we're facing. And this point was
22 really driven home in the LAO's December report on the
23 State's lack of preparation regarding sea level rise.

24 As somebody who grew up in the Mojave Desert, I
25 wasn't as clued in to coastal politics as people who owned

1 property on the beach. But, you know, that beach means as
2 much to people who live inland as it does to people who
3 have an ocean view. And if more Californians realized
4 what they faced losing, I truly believe that more people
5 would engage.

6 So if you factor in the economic and equity
7 between coastal and inland populations and the legacy
8 injustice that are related to economic inequity and -- I
9 mean, this is a huge conversation, one that's important to
10 keep having as you continue incorporating and prioritizing
11 equity and environmental justice into your framework.

12 So additionally, on sea level rise, we support
13 the continuance of the Coastal Hazards Removal Program.
14 Obviously, with the oil structures as well, but, you know,
15 on our beaches, on our coasts, not only are these
16 structural remnants a danger, but in the face of rising
17 seas, we need to be eliminating and prohibiting as much as
18 possible any structures that will increase erosion.

19 Finally, last point on the sea level rise topic,
20 we would like to see attention paid specifically to
21 Humboldt Bay. I'm biased. I live up in Humboldt County
22 on Humboldt Bay, but it is considered, by many experts, to
23 be ground zero for sea level rise. And the remoteness and
24 the relatively low regional population means that the
25 pending impacts, which will be devastating to the economy

1 up there, are often overlooked. And it is a perfect place
2 to perhaps pursue pilot adaptation projects and work with
3 other State agencies to take care of.

4 Addressing and eliminating the sewage, trash,
5 sediment, and chemical waste polluting the Tijuana River
6 Valley region continues to be one of our national priority
7 campaigns. And so we hope to see the Commission and staff
8 continue to advocate for solutions to this crisis as well.
9 There has been a lot of momentum. There's actually
10 funding. So I think this is a good chance to finally get
11 something done.

12 Surfrider does support the rapid development of
13 renewable energy sources for all the reasons already
14 outlined in response to the climate crisis. We do want
15 the stakeholders to be continually engaged in proposed
16 offshore wind projects, given the lack of data and the
17 increasing concerns related to that industry. And again,
18 we appreciate your staff being very responsive to those
19 concerns when they have been articulated.

20 Ensuring access to Public Trust lands should, of
21 course, continue to be a priority. Surfrider Santa
22 Barbara Chapter has engage in the process to correct the
23 long-standing wrong that has prevented the public from
24 accessing the beach through Hollister Ranch. And we
25 anticipate participating in the ongoing battle at Martins

1 Beach as well.

2 And finally - and I'm trying to make sure I say
3 this in the most a 503(c) non-partisan way -

4 (Laughter.)

5 MS. SAVAGE: -- what happens in November on the
6 federal level will likely influence your planning. You
7 know, we may find ourselves digging into defense mode,
8 even deeper than we have over the past few years. Efforts
9 to extract as much as possible from our public lands may
10 ramp back up and even intensify. And in any case, I think
11 its -- surfrider thinks that it's very critical to
12 continue fortifying our defenses against the long-standing
13 threats, such as offshore oil drilling, and also to
14 proactively defend against new ones, such as seabed
15 mining.

16 And while California's marine jurisdiction may
17 end three miles out, your impact, you know, as we've seen,
18 has the potential to reach so much further.

19 And so with that, thank you.

20 CHAIRPERSON YEE: Thank you very much, Jennifer.
21 Kathryn.

22 MS. PHILLIPS: Thank you. Kathryn Phillips with
23 Sierra Club California, which is California's oldest
24 environmental organization. We may be the only
25 organization in the room that's older than the State Lands

1 Commission, so...

2 (Laughter.)

3 MS. PHILLIPS: You know, it feels just like --
4 almost like yesterday, when you -- when Controller Yee you
5 brought a number of stakeholders together to start talking
6 about a strategic plan for the Commission. And last
7 night, as I was reviewing Jennifer's report for today, and
8 reviewing the plan itself, I was just kind of blown away
9 with how forward looking the plan was, how ambitious it
10 was, and the fact that so much has been achieved.

11 I think you have a -- 77 percent of it has been
12 done so far. And that says a lot about your staff. But I
13 was also reminded, as I read the plan, about how we lived
14 in an almost innocent time then. It was 2014 and 2015,
15 and we had a federal partner who was addressing
16 environmental challenges, much in the way that California
17 was or was looking forward to doing more.

18 The real effects of climate change were being
19 felt in California through the drought, but we hadn't
20 experienced year after year of devastating wind-driven
21 wildfires that were putting communities that never thought
22 they'd have to consider a wildfire at risk. And we hadn't
23 started reading newspaper reports about crumbling sea
24 cliffs and broken roads impacted by sea level rise.

25 So the Intergovernmental Panel on Climate Change

1 hadn't yet released its report of 2018 that's warning that
2 we have only until 2030, just under ten years now, to
3 really put in place all that needs to be put in place to
4 avoid the most catastrophic effects of the climate crisis.

5 So it's against this background of new realities
6 that I think a lot of my colleagues have already spoken
7 and presented a lot of great ideas. But it's against this
8 background that I'm going to make my comments now.

9 In response to the question of what I recommend
10 needs to be eliminated, changed, or added to the next
11 strategic plan, I have only one thing to say, and that's
12 the next strategic plan needs to be framed around the
13 climate crisis. Every aspect of the plan needs to be
14 informed by this crisis, both the need to cut emissions
15 and play a role in doing that, and the need to adapt and
16 ensure that State lands are used most effectively as
17 adaptation demands.

18 And so what does this mean in practice? Just a
19 few examples. The State Lands Commission needs to
20 reevaluate its plans for leasing of public lands,
21 including the so-called school lands, for mineral
22 extraction in light of the need for open space and
23 wildlands to serve as refugia, and movement corridors for
24 wildlife at risk because of climate change.

25 It's probably something that has never -- we

1 never thought the State Lands Commission would have to
2 take into account, but that is something that's having an
3 effect all over the state or that people all over the
4 state who are thinking about wildlife and land management
5 is how do we allow wildlife that are going to have to move
6 farther north actually make that move or move to higher
7 ground.

8 The Commission needs to evaluate its leases of
9 ports and harbors to ensure that terms -- that the terms
10 motivate the transition away from air- and
11 climate-polluting practices and equipment and to the
12 cleanest technologies and practices. I want to underscore
13 some of what Bill Magavern said and draw your attention to
14 that.

15 I think there are opportunities for the
16 Commission to weigh-in to encourage the Air Resources
17 Board to follow through on some of the rulemaking that's
18 in progress, including the Advanced Clean Transit -- or
19 Advanced Clean Truck Rule, which will require
20 manufacturers to produce more and a wider variety of
21 electric trucks, so we can get to that place where we need
22 to be faster.

23 The Commission needs to evaluate how many and
24 which of its coastal lands should remain undeveloped or
25 repurposed to provide natural buffers against storm surge

1 and sea level rise. Draw your attention to the decision
2 you all made not too long ago with the SPHERE Institute
3 about a 9.4 acre piece of property. I mean, that's a nice
4 pilot that will allow the transition of a piece of State
5 land to something that can be used as a park until the
6 storm surges arrive.

7 And what needs to be continued? The Commission
8 should continue the path its begun to increase attention
9 to equity and environmental justice, and how State Lands
10 Commission properties are leased and managed.

11 It also needs to continue its efforts to increase
12 public access to those lands appropriate for recreation.
13 And that would include projects such as the one that -- to
14 help create access at Hollister Ranch beaches and public
15 lands like that.

16 But above all, again, the Commission needs to
17 look at everything through the lens of climate change, and
18 how is that -- how is what the Commission doing
19 contributing to climate pollution, and what can the agency
20 do instead to cut its pollution contribution.

21 And this brings me to the source of Commission
22 funding, which I think is also the biggest challenge the
23 Commission faces. Since it is -- so much of its funding
24 is provided by the oil and gas extraction on public lands,
25 this is something -- it's like the elephant in the room

1 and it has to be addressed.

2 The science is clear, we can't continue to depend
3 on oil and gas for energy and survive as a planet. We
4 just can't. And we know that if the State does the right
5 thing, oil and gas production on State Lands should be
6 encouraged to decline and will decline. And I want to
7 praise the actions that the Commission has already taken
8 to advance decommissioning, and discourage additional
9 extraction offshore.

10 But we can't -- the Commission can't keep
11 depending on oil and gas extraction for necessary revenue
12 and neither should California as a whole. So -- so
13 when -- the unfortunate thing about relying on these oil
14 and gas revenues is it puts you into a situation where you
15 have to think about, well, if you lose those oil and gas
16 revenues, how do you do all the work that needs to be
17 done? But you really -- the work that needs to be done is
18 to really move away from those oil and gas revenues.

19 So again, I think it means that you're going to
20 have to really review the Commission's mission and see how
21 you're interpreting it, because the interpretation has
22 changed over the years. It's broad enough to allow you to
23 remake yourself, to do a lot of the things that some of my
24 colleagues have just mentioned, but to rethink how you
25 develop revenues.

1 So ultimately, the focus has to be on extracting
2 State Lands from any and all oil and gas extraction
3 leases. And the focus needs to identify other
4 opportunities for the Commission to fund itself, without
5 compromising the Public Trust, and public access to lands,
6 and all those other things that we have raised today.

7 And I just want to thank my colleagues on this
8 panel. It's been really enlightening and interesting to
9 hear all the ideas you have. And I feel very proud to be
10 part of this environmental community.

11 CHAIRPERSON YEE: Thank you, Kathryn. Thank you,
12 all, for being here.

13 Commissioners, comments?

14 Commissioner Kounalakis.

15 COMMISSIONER KOUNALAKIS: I saw you taking notes,
16 so I thought you were going to dive right in, but thank
17 you, Madam Chair.

18 Actually, I was just thinking that if staff could
19 address this issue that Kathryn Phillips raises about the
20 source of income of the Commission, and the percentage of
21 funding that comes from the leases, and which part of our
22 budget that funds, and how we should start to think
23 through this process about what it means, you know, these
24 two -- this -- the fact that our -- our goal, which has
25 been stated so many times relative to addressing climate

1 change can be in direct conflict with the funding of our
2 budget. So, Jennifer, if you could address that, that
3 would be great.

4 EXECUTIVE OFFICER LUCCHESI: Yeah. Well, I'll
5 try. I will attempt to add a little bit more clarity with
6 regards to the budget and kind of the state of the law
7 with regards to our offshore oil and gas leases, which
8 will just add to, I think, the need for creative
9 approaches for that just transition.

10 I realize in hindsight that the way I presented
11 both our revenue generation and our budget, it seemed
12 to -- they -- they're linked. And they are in terms of
13 the work that we do and that added -- and the revenue
14 that's generated for the State as a whole.

15 But be -- with regards to the entire State budget
16 process, our budget and funding is not directly linked or
17 proportional to the revenue that we generate, whether it's
18 from offshore oil and gas operations or surface leasing.
19 So that revenue just goes into the State's general fund or
20 CalSTRS, depending on the source of the lands those
21 revenues are -- or the type of the lands those revenues
22 are generated from. And we go through the typical budget
23 process every year that every State agency goes through to
24 establish our baseline budget, plus any extra monies that
25 we may need for special projects or positions.

1 But with that said, that makes this a bigger
2 issue for the entire State, because the revenue that's
3 generated that goes into the State's general fund is
4 significant, and sometime -- in some years, it's more
5 significant than others, because of the fluctuations in
6 oil prices, and technology, and the amount of production.

7 And so this is something that is much bigger than
8 just the State Lands Commission, in terms of the revenue
9 that comes in every year from oil develop -- oil and gas
10 production on State property.

11 But we also view ourselves, because we are in the
12 trenches in terms of overseeing and managing those leases
13 and those operations, like in the Long Beach and West
14 Wilmington, that we always have an eye, not just to the
15 ongoing trend, but the need to address the climate crisis,
16 and acknowledging that that's a fundamental element of it,
17 as well as trying to then balance the bonding and
18 liability issues that we've seen when there's been an
19 immediate termination or shutdown of some of these oil and
20 gas facilities, and what that means in terms of the
21 State's own responsibility and the funding associated with
22 that.

23 So the other thing I just want to mention, and I
24 hope to provide some clarity with this, but I just realize
25 it's probably -- it just becomes really a complex problem

1 to solve on so many different levels, is the current
2 offshore oil and gas leases that we have are the statutory
3 and contractual legal framework that we're operating
4 within is very operator friendly.

5 And so, for example, they do not have end terms
6 to those leases. That's both dictated in statute and then
7 the accompanying contract. So we don't actually have the
8 ability to renew or terminate on our own.

9 And so we usually have to wait until a lessee
10 needs something from us in terms of an amendment to those
11 leases, where we can negotiate changes to the operations
12 and to the ultimate life of that lease.

13 And so it's a -- it's a very nuanced and delicate
14 dance that we're involved in. And we constantly are
15 looking for opportunities to help influence and make
16 changes to those leases, and to the overall operations in
17 a way that advances our State policy goals.

18 But I -- it's not as simple as some of our other
19 leases, where we do have the ability to decide, the
20 Commission, not to renew a lease.

21 COMMISSIONER KOUNALAKIS: So maybe I'll just back
22 up though, first of all, and just thank everyone for
23 coming down. I was sort of consumed by this concept and
24 neglected just, first of all, to thank you all for being
25 here. Most of you are very familiar faces. You come and

1 participate and engage with State Lands regularly. And
2 having you here is a very -- very natural, I think. And
3 having you as part of this update is obviously very
4 important.

5 Just a couple of things to kind of really
6 highlight. How incredibly important it is to me, but I
7 think to everyone, that we really look at what we can do
8 in looking forward with our strategic plan to help move
9 our 2045 goals forward. Now, it's in emissions that's
10 relative to air quality, that's going to cut across so
11 much of the work that you do, and what we're going to be
12 looking at.

13 2045 is -- you know, these markers are out there.
14 And there's an enormous amount of work that we have to do,
15 whether it's in more zero-emission vehicles, of which
16 trucks at our port is going to be a very big part of that,
17 or, you know, all of the elements that we can, you know,
18 connect with those 2045 goals.

19 And the second thing I want to just ask actually
20 staff to respond to Jay Ziegler's suggestion that this
21 body consider how we might help with a more cohesive way
22 for the State to be thinking of the impacts of climate
23 change. We're a very geographically large and diverse
24 State. Climate change impacts us -- has impacted us very
25 severely when it comes to the wildfires. Seven of the ten

1 most destructive wildfires in California history have
2 happened in the last decade.

3 So -- and, of course, our coast, which is
4 environmentally one of our most important geographic
5 assets, but also to all the people who are living there
6 and the communities that thrive on our coast. So I --
7 that's my second point.

8 I have one more.

9 But if you could kind of address, Jennifer, how
10 you see the opportunity for the State to really be drawing
11 back the lens looking at a -- an ability to coordinate and
12 conceptualize our -- or plan together at the statewide
13 level what our responses should be.

14 EXECUTIVE OFFICER LUCCHESI: I have a couple of
15 thoughts on that.

16 First, the State Lands Commission is such a
17 microcosm of the larger issues in all the different spaces
18 that the State is struggling and facing with the climate
19 crisis. So we are a land holder. We own lands along the
20 waterways, along the coast that are subject to sea level
21 rise. We own lands that are subject to -- that are
22 forested and subject to forest fires. We own lands in the
23 desert, that also are experiencing impacts of climate
24 change, but also all of those types of land holdings also
25 provide opportunities to address the carbon neutrality

1 goals.

2 And we are also obviously a participant in the
3 fossil fuel industry in terms of the oil and gas that's
4 generated on our lands. So we -- we kind of touch on all
5 of the diff -- all the site -- all the elements of the
6 climate crisis cycle.

7 And so when you see it through that lens and then
8 you look at who our Commissioners are, being the top two
9 fiscal officers in the state, the Director of Finance and
10 the State Controller, the Lieutenant Governor that has a
11 broad view of the statewide public benefit and State
12 policies, two being Constitutional officers that are
13 directly accountable to the people of the state, and then
14 you add on the fact that all of your business as State
15 Lands Commissioners are conducted in public in a very
16 transparent and open way. When you add all of that
17 together, I think in addressing, I think, every single one
18 of the panelists' suggestions about the influence and the
19 bigger statewide national and international view that this
20 Commission brings to the table, we have a lot of tools
21 available to us.

22 And it's really leveraging the ideas and the
23 partnerships with our stakeholders here in the audience,
24 those that are watching the webcast, and who were here
25 previously to find those common ground and common themes

1 on which we could make real progress. And we could be a
2 very -- we could almost be our own little pilot project in
3 certain elements in that way.

4 COMMISSIONER KOUNALAKIS: Okay. Something to
5 think about. And then my last question goes to something
6 that Jennifer Savage addressed in the mission of
7 Surfrider, which is protecting the coast, but also
8 allowing and recognizing that people enjoy visiting the
9 coast and the importance of accessibility to our
10 coastline, there's been a real surge of interest in
11 helping to support access to the beauty and the
12 recreational opportunities of the California coast to all
13 Californians.

14 My husband grew up in San Francisco, and so the
15 ocean was always a part of his upbringing. I didn't go to
16 the Pacific Ocean for the first time until I was about 12
17 years old. And I didn't go back again until the end of
18 high school growing up here in Sacramento. And so I
19 really feel that very viscerally that you can be in
20 California and not know what's just, you know, on the
21 other -- other side of the state.

22 And -- so but my question for all of you
23 representing the environmental community is how do we know
24 when we're getting it right with these two pieces of, for
25 instance, the Surfrider goal of protecting sensitive

1 habitat, protecting sensitive coastline, and river areas
2 of -- along our rivers, but at the same time having access
3 for Californians and promoting access to Californians? So
4 I'd really love to hear that -- a little bit more about
5 that from all you. And that is my last one.

6 MS. SAVAGE: Well, I'll jump in. And so we do
7 take the enjoyment part of our mission very seriously.
8 And, you know, really believe that everybody who lives in
9 California or visits California has the right to go to the
10 coast and experience that joy, and peace, and amazing
11 experience that you can really only find in big awesome
12 outdoor spaces.

13 So thank you for highlighting that. I appreciate
14 it. We also, of course, work to be good stewards of our
15 coastal resources, and there's -- so there's a couple
16 different parts of that. I just do -- I want to
17 highlight, first of all, that there is a very common
18 argument that coastal property owners who don't want
19 visitors use, which is that somehow if you open the coast
20 that the hordes of, you know, unwashed masses will descend
21 upon the coast and destroy it and trash it. And we hear
22 that -- I mean, I hear that almost like on a daily basis
23 in the work that I do.

24 So, you know, we try to be careful about not
25 aligning ourselves with the idea that public access equals

1 destruction of natural resources. However, there is a
2 very real concern, you know, that I think plays out in our
3 natural places, where if you have a lot of visitors and
4 not adequate staffing, and education, and other aspects,
5 that it can be, you know, overwhelming for the natural
6 environment.

7 And so a lot of places where we see that happen,
8 you know, say like in -- I'm up in the north coast, you
9 know, where some of our State Parks have been chronically
10 underfunded, and it's a rural area, and there's not
11 necessarily a lot of other eyes on people all the time,
12 and so sometimes it's just a matter of if there were more
13 Rangers around. Sometimes it's a matter of education and
14 outreach. And sometimes people don't know habitat is
15 sensitive. I live along the dunes up in Humboldt County.
16 And if you didn't know that the dunes were full of life,
17 and special, and there's 41 different kind of bees that
18 live there, and all these different plants, you know,
19 people just -- they might not think twice about stomping
20 across, you know, different areas.

21 But we have a great organization, Friends of the
22 Dunes, it does a lot of outreach. And so, you know,
23 kind -- some of this is just a simple matter of ensuring
24 that there's adequate funding, adequate staffing, adequate
25 outreach for the public, so that everybody -- not -- so

1 that everyone, in addition to enjoying these incredible
2 places, feels that stewardship opportunity.

3 So I would say that that's -- you know, that's
4 primarily the direction that we come from and we try to
5 implement that through our chapter network, you know,
6 actively working on the ground to educate people, and
7 advocate for more funding at the local and State levels.
8 And then on a statewide level, of course, we advocate for
9 more in the budget for our beloved State agencies. So
10 that's how we -- what we try to do.

11 CHAIRPERSON YEE: Theresa.

12 Any more responses?

13 MR. ZIEGLER: Let me -- I think, Jennifer has
14 give you a really thoughtful response on this on a
15 practical scale. I do think this is one of the reasons
16 why I talked about the importance of having a better
17 science database on what are the landscape level
18 objectives that the Commission is trying to solve for, how
19 does your strategy fit with local coastal plans, how does
20 it fit with other natural resource management activities.
21 And especially on the coast, how does it fit in a
22 real-world sense where we know that we're going to be in
23 this very near term, 2045, effort to try to get to net
24 neutrality on carbon, fighting this battle against rising
25 sea levels across the state at varying degrees with

1 different levels of economic impact.

2 And I think all of that has to be squared up in a
3 way that all Californians more transparently understand
4 the choices that we're making.

5 And that's where I think this kind of integrated
6 level of science that the Resources Agency, that State
7 Lands Commission, that OPC and its work, and everyone is
8 doing is much more accessible, so that we all understand
9 really the gravity of the challenge ahead of us, because I
10 think in many ways, the policy actions, yes, there are
11 leasing actions that you're involved in. There's
12 decommissioning of natural gas power plants and other
13 immediate challenges.

14 But I think that just bringing this together, in
15 a sense of what objectives are you managing to, and how
16 does that science database help you solve for that and
17 help other agencies solve for the challenges that they're
18 trying to meet becomes really important in making
19 science-based decisions a lot more accessible than they
20 are today.

21 And I think that's -- and just we're getting such
22 a acceleration in how these databases can work together
23 and data basin can integrate multiple levels of analysis,
24 that I think that how those tools are applied, so that we
25 in California are the science leaders in science-based

1 decision making and not following whatever Washington
2 might be up to today.

3 MS. SIMSIMAN: Well, in terms of how do you have
4 the balance between all of the stakeholders in terms of
5 access, the private landowners, the people who would like
6 to enjoy, again engagement of all. And what's
7 interesting, American Whitewater is currently working with
8 Fresno Building Healthy Communities. And we took them up
9 to the San Joaquin River Gorge which is 45 minutes outside
10 of Fresno. They are currently trying to fight for access
11 in San Joaquin River Gorge in Fresno itself.

12 But was -- what was interesting is when they came
13 up there, they had no idea that that resource was there.
14 So kind of going back to what I had talked about when I
15 was trying to go on the site, looking at all the GIS
16 technology, which, for me, was great, because I understood
17 how to integrate -- engage with it, but to look at what
18 are those public rivers, what's the public lands that I
19 can go and enjoy. And again, I think it's about outreach
20 and letting people know that they have rights to access
21 the rivers in their area.

22 MS. KROP: Thank you for the question. I have
23 two thoughts on that. First of all, without access, you
24 don't get appreciation. And I think people have to have
25 that personal relationship, that personal experience to

1 understand the importance and the fragility of the
2 resources at stake and to become stewards. And I've seen
3 this happen multiple times in my career.

4 For example, we protect a lot of areas that
5 provide Snowy Plover breeding grounds. And there have
6 been experiments to just exclude people, which is very
7 controversial, or to implement docent-led programs where
8 people can go to the beach, the Plovers are protected,
9 people learn, and they understand, and they learn a lot
10 about the environment.

11 Similarly, we have a creek cleanup program in our
12 office, where we bring people to creeks to clean them up.
13 And maybe you wouldn't want them in all these creeks, but
14 because we do it through an education program, they walk
15 away being stewards of our watersheds. And now, in the
16 main community, where we've been conducting that program
17 for a few years, now we're actually getting -- the city is
18 actually sponsoring a creek and watershed management plan,
19 because of our creek cleanup program.

20 We like to get people out to the Channel Islands
21 National Marine Sanctuary and they become much more aware
22 about plastics in the marine environment and overfishing.
23 So I think you need to introduce people to have them
24 understand the importance and want to take action.

25 The second thing is, obviously, we have to design

1 access to protect the resource. We helped protect the
2 Fiscalini Ranch in Cambria. And there were just trails
3 all over that ranch and through very sensitive habitats on
4 a coastal bluff. Once we protected it, the community -- I
5 can't remember if it was, you know, NGOs or the county,
6 put in boardwalk trails with a lot interpretive signage.
7 And there's a lot of restoration. So actually having
8 access there has improved the habitat value.

9 CHAIRPERSON YEE: Thank you, Commissioner
10 Kounalakis.

11 Commissioner Miller.

12 ACTING COMMISSIONER MILLER: Just briefly, to
13 Jennifer, your point about the staff and how you've
14 evolved in a deliberative and self-aware way. I thought
15 that was beautiful way to say that the -- you deserve so
16 much credit. And I know that the Board has certainly
17 offered a lot of leadership that clearly you've made a
18 huge difference and a huge impact. So thank you for
19 saying that and to all of you for being here.

20 I do -- just in terms of -- I'm not sure this is
21 a specific question, but I think we've heard a lot about
22 these creative funding sources, Mr. Magavern, and Mr.
23 Ziegler, and Ms. Phillips. I think the way that we can
24 really work together to see if those, not only -- and I
25 think Jennifer's point about how the budget works, that

1 it's not commensurate with the funding, but in general, if
2 we can use this opportunity as a way to test some of the
3 more creative sources out there, I think is a good idea,
4 not only in terms of revenue generation, but also in terms
5 of sort of carrot and stick approach, Mr. Magavern, to
6 your point around air pollution.

7 So I really look forward to that -- those
8 conversations. And I don't know how the Chair will have
9 those going forward, but I'd really appreciate learning
10 more about it. Obviously, I've been taking copious notes.
11 I have a lot to learn, but would love to really see if we
12 can engage on that, and how we can have that be a
13 productive part of this conversation.

14 CHAIRPERSON YEE: Absolutely.

15 ACTING COMMISSIONER MILLER: Thank you.

16 CHAIRPERSON YEE: Thank you, Commissioner Miller.
17 Look forward to your participation in that.

18 I'm going to put you all on the sport for a bit,
19 because this is probably the hardest question to ask. And
20 I think the observation that many have been making about
21 just how intersectional all the issues are that we're
22 dealing with is just becoming so much more clear.

23 But given that we're in this reality of where
24 there are finite resources, yes, there are going to be
25 opportunities in terms of new revenue generation. But I

1 guess I'm thinking in my head about priorities and how do
2 we -- given that intersectional -- intersectionality and
3 the urgency of just, you know, the work that's before us,
4 what would you say this Commission ought to be
5 prioritizing, in terms of our dedication of staff
6 resources, the -- our time, and just given the resources
7 that we currently have to work with now, as we continue to
8 kind of carry out what Commissioner Miller is looking to
9 do, which I have some ideas about, yes.

10 Maybe, Kathryn, you want to start.

11 MS. PHILLIPS: Yeah. I mean, I think if -- not
12 just climate change, but public health, if you look
13 through that lens, you'll make figuring out what to do at
14 the ports to make them less polluting would be a high
15 priority. I think that was addressed somewhat in the
16 previous strategic plan, but we know a lot more. There
17 are a lot more things happening. The technology has
18 advanced. I think what this State Lands Commission can do
19 is a lot more than you used to be able to do. And I think
20 one of the things to remember too in all of that is that
21 it doesn't cost the State Lands Commission necessarily
22 money to force the users, the folks who are making money
23 off the ports to do the right thing.

24 And Bill mentioned earlier, you know, the -- one
25 of the most important things is to make sure that there

1 are a certain number of incentives out there for
2 heavy-duty vehicles to make sure we accelerate that
3 transition. They're a regulatory process going through.
4 But to get people to adopt things earlier, we need to make
5 sure that the budget looks -- looks healthy for incentives
6 and that there are consistent incentives. And I think it
7 would be valuable for this Commission to work with the Air
8 Resources Board, the Energy Commission, and those entities
9 that are responsible for figuring out how do we -- how do
10 we really accelerate the adoption of electric trucks to
11 work with them to -- to support what's going to be
12 required.

13 It's going to be a lot of money up front. But
14 what we're going to get in the end is less climate
15 pollution, but we're also going to get healthier people.
16 And when you have healthier people, you cut back on health
17 costs, lost days at school, lost days at work, and all of
18 those things that aren't counted.

19 So I would -- I would make that the top priority.
20 And again, looking at things through the lens of climate
21 change, you'll probably figure out the second and third
22 priorities too.

23 MR. MAGAVERN: And I agree with Kathryn. And
24 just to put it in context, over 80 percent of the air
25 pollution in California comes from transportation. And

1 over half of that pollution is from the movement of goods,
2 not people.

3 So that's why the port and freight system is
4 actually crucial. We talk about greenhouse gas emissions,
5 the percentages are smaller, but still significant and --
6 and growing.

7 CHAIRPERSON YEE: Thank you. Jay or Linda.

8 MR. ZIEGLER: I think the one thing we haven't
9 done is taken anything off of your plate.

10 (Laughter.)

11 MR. ZIEGLER: So I appreciate, you know, the
12 question. I think this nexus of public health to climate
13 change is a great frame that -- I mean, I think from, you
14 know, my organization is concerned about loss of
15 biodiversity, but our lens on this is trying to figure out
16 where is the intersection of what -- of issues that affect
17 people, as well as nature. And I think my note would also
18 be, as I said in the -- on the prior question, that you
19 really look at landscape scale science and what climate
20 change is bringing to you, to the lands that you manage,
21 and think about how you triage that, because these
22 challenges are more immediate in some areas of the coast
23 and some river systems.

24 And I think that -- and so if you take a
25 science-based approach to where the climate risks are

1 accelerated, if you will, and especially on the coast,
2 that that may be one mechanism that becomes really
3 important in a place where the Commission can really be a
4 thought leader.

5 And I think also just in this space of elevating
6 science, and using your respective offices and influence
7 in the Legislature, becomes really important also with
8 respect to modernizing the ports and reducing their
9 pollution footprint too.

10 CHAIRPERSON YEE: Good. Appreciate that, Jay.
11 Thank you.

12 Jennifer.

13 MS. SAVAGE: It's actually a perfect question to
14 ask nonprofits, because everything is always urgent --

15 (Laughter.)

16 CHAIRPERSON YEE: Right.

17 MR. SAVAGE: -- and we always have to figure out
18 what to do first --

19 (Laughter.)

20 MS. SAVAGE: -- with not a lot of money usually,
21 so -- so I feel like we should all be prepared for this
22 one.

23 I also would agree that the climate change/public
24 health lens is a really potentially efficient way to look
25 at this. And, you know, as I -- as I said before, so much

1 of what I see, because we do work with a lot of State
2 agencies and go to a lot of these different meetings
3 and -- is -- just is the need for the State to coordinate.
4 And I know that, you know, you are one Commission. I
5 would just -- you know, if -- whatever you can do to
6 inspire other agencies to come along on these challenges
7 would be really helpful.

8 My sense is that there is an administration-wide
9 movement and legislative interest in getting State
10 agencies to be more aligned. So hopefully, there's some
11 momentum around there. The LAO report had some, you know,
12 great suggestions in it. And wherever State Lands can
13 plug into that, I think is really effective, but it's
14 just -- it is such a big problem. It does intersect in so
15 many places, in so many ways that, you know, the State
16 Lands alone, no matter how great everybody does, can't
17 solve the problem.

18 So really getting everybody -- the right people
19 together in an effective way, not just like more
20 committees and meetings, but really getting everybody to
21 take the kind of actions that are necessary in a unified
22 and aligned way I think is so critical.

23 CHAIRPERSON YEE: Thank you, Jennifer.

24 Theresa.

25 MS. SIMSIMAN: Of course, I would say inland

1 waters and access to our rivers.

2 (Laughter.)

3 MS. SIMSIMAN: But no, really, if you're looking
4 for a consensus of priorities, it would be climate change.
5 For inland waterways, there is an effect in the fact of
6 people looking to hydropower as a way to solve some of,
7 you know, the climate change issues. And we don't
8 necessarily agree that turning to hydropower is healthy
9 for our rivers.

10 So, again, taking a look at climate change and
11 its effects, not only on the coast, but on the inland
12 waters, and public health is the underlining theme there.

13 MS. KROP: I actually did try to take one thing
14 off of your plate, new oil and gas leasing.

15 (Laughter.)

16 CHAIRPERSON YEE: The old ones keep us quite
17 busy. Thank you very much.

18 (Laughter.)

19 MS. KROP: I think the State Lands Commission's
20 unique interface of covering offshore waters, as well as
21 terrestrial lands puts you in a unique position to look at
22 climate change resiliency and do we need more marine
23 protected areas offshore, do we need, you know, more
24 carbon sequestration in the water, such as, you know,
25 planting eelgrass and kelp. And then the interface with

1 the coast in terms of do we need to have some buffers to
2 address the fact that we're going to see sea level rise
3 and do we need to protect certain lands and areas from
4 development, so that they are available to absorb some of
5 the effects of climate change. So I think that unique
6 interface would be a great priority focus.

7 CHAIRPERSON YEE: Thank you. Thank you very
8 much.

9 Other comments, Commissioners?

10 Yes. Commissioner Kounalakis, please.

11 COMMISSIONER KOUNALAKIS: So I just have one more
12 question for you, because I don't want the day to end
13 having had so many important panelists or such important
14 stakeholders without mentioning the school lands. Any
15 thoughts or feedback from all of you in the implementation
16 of our strategic plan over the last four years relative to
17 the school lands, which are generally not on the coast,
18 generally not even near the water.

19 But any thoughts the degree to which you or your
20 organizations have followed the management of the school
21 lands that you might want to raise on the panel today?

22 MR. ZIEGLER: We've been pretty actively engaged
23 with the Commission in the desert lands. And I mentioned
24 this briefly in my remarks, but I think that there are
25 great opportunities to reconcile lands that should be

1 conserved for environmental purposes and lands that could
2 be exchanged out to benefit solar development, in the
3 desert to benefit school lands. And I think Jennifer that
4 MOU or -- was ultimately signed, but really not acted on
5 by BLM in any meaningful way. Is that -- but I think
6 there's a -- there's a platform there. We may need a new
7 administration to get active on it again.

8 But I think there is a template and a lot of work
9 that was done really four and five years ago, three years
10 ago, that's a blueprint to act on to really, you know,
11 focus on really again large landscapes for conservation in
12 the desert and figuring out lands to develop in a smarter
13 way.

14 EXECUTIVE OFFICER LUCCHESI: So just to add on to
15 that. Yes, there was an MOU signed with the prior
16 administration's California Director of the BLM and the
17 State Lands Commission that would have facilitated the
18 first land exchange that would have allowed the BLM to
19 acquire from the State Lands Commission in holdings in
20 exchange for an operating solar facility, which would have
21 been a great first step and example, not only from a
22 revenue generation perspective to support CalSTRS, but
23 that, yes, we can do this.

24 And it would give -- would have given solar and
25 other renewable energy operators confidence, too, that the

1 State Lands Commission's leasing practices and policies
2 were going to be complementary to their business model,
3 and not something to be necessarily afraid of, because of
4 the unknown.

5 Unfortunately, because of changing priorities at
6 the federal level and changes in leadership at the
7 California BLM level, that has not been implemented. And
8 I think what I'm hoping through the strategic plan and
9 through working with our stakeholders is that we can
10 position ourselves even better for when those priorities
11 change, so that we can capitalize on the work that we've
12 done previously and optimize that change in priority to
13 really just hit the ground running.

14 COMMISSIONER KOUNALAKIS: Okay. Thank you very
15 much for that, because I think it is really important that
16 we not lose site of that part of this portfolio and just
17 the size of it, and not just for desert lands, but how we
18 think about some of the forested lands as well.

19 MS. PHILLIPS: So I did mention school lands
20 earlier, but, you know, it would be helpful, and maybe you
21 already have it, if there was available a public inventory
22 of school lands and their ecological value, plus other
23 values. I mean, obviously some of them are considered for
24 mineral extraction and that sort of thing. But it would
25 be really valuable to have that. And then it -- that

1 might help guide us about which ones we want to advocate
2 for keeping in a wild condition, and which ones we think
3 should be swapped out to become park land, while you swap
4 something out to become -- to use for renewables or
5 something like that.

6 EXECUTIVE OFFICER LUCCHESI: That's a great idea
7 and we'll take notes on implementing that idea through the
8 next strategic plan. We've done a lot of that work for a
9 large swath of the desert lands through the DRECP process.
10 We're actually in the middle of trying to hire a
11 consultant to help us inventory our 55,000 acres of
12 forested school lands. And so we're on that track, but
13 that's a great idea to put in our implementation plan of
14 the next strategic plan, so we continue with that work and
15 I -- thank you.

16 CHAIRPERSON YEE: Thank you very much.

17 Any other comments, Commissioners?

18 Okay. Seeing none. I want to thank all of the
19 panelists for just really some wonderful input and thank
20 you for being here.

21 To be continued.

22 Thank you.

23 (Applause.)

24 CHAIRPERSON YEE: We do have a number of speakers
25 on this item. And thank you for your patience. I hope

1 you've found this to be a very engaged set of input that
2 we've been getting.

3 So first let me call up Francis Coats, if he'll
4 come forward. Let me call each of the speakers up in the
5 order that you signed in. Francis Coats, Tom Rudolph and
6 Molly Croll. You'll each have three minutes to address
7 the Commission.

8 Hang on one second.

9 AGP VIDEO: Push the button on the microphone,
10 the white button.

11 CHAIRPERSON YEE: There you are.

12 MR. COATS: Hello.

13 CHAIRPERSON YEE: Yes.

14 MR. COATS: Hi. I'm Francis Coats. I'm a
15 retired attorney, oil and gas landman for five years, 30
16 years with the State as an attorney. And I tend to
17 advocate for public access to public lands.

18 The first thing I wanted to say is that we --
19 you're going to have to deal with the homeless problem to
20 some extent. As the trustee for so much land,
21 particularly along the inland waters, the problem is
22 partly in your court and you need to participate in any
23 attempts to resolve it.

24 The homeless encampments are excluding public
25 users, they're creating some pollution, and nobody has

1 figured out a reasonable way for these people to live in
2 the meantime.

3 The next thing which comes up with points that
4 were just raised, the -- with -- especially with regard to
5 the school lands. Okay. We have a State Constitutional
6 provision that says that all land owned by the State is
7 open for public fishing and that no land owned by the
8 State will be sold or transferred without reserving in the
9 public the absolute right to fish.

10 So the school lands you still own are subject to
11 a public right to fish, and all of -- the Constitutional
12 provision was added November 8th, 1910. And all of your
13 school lands patents, since that time, have that
14 reservation expressly in them, that the buyers knew,
15 everybody knows, that it's subject to the right to fish,
16 but no one has told the public where this land is.

17 So that's kind of -- we asked for that at the
18 stage of the earlier strategic plan and we didn't get
19 any -- didn't get anything.

20 The other thing is that the land that you sold,
21 but reserved mineral interests -- the land that you sold
22 all has the reservation in it too. So all the public land
23 that was sold since November 8th, 1910 has the fishing
24 rights reservation on it.

25 The mineral reservations that you guys talk about

1 that come out of the sale of school lands, well, the
2 mineral reservation law came in in 1921. So all the
3 records you have for mineral reservations will tell you
4 which land is subject to fishing rights after 1921. It
5 leaves you about an 11-year period when it would take more
6 homework. But if you have any good handle on the land
7 that you have mineral rights in, then you have a really
8 good handle on almost all the time that fishing rights
9 were imposed.

10 Incidentally, early 1929 California Supreme Court
11 caselaw indicates that if the fishing rights were left out
12 of a document, they would be incorporated into the
13 document by the court, whether a patent or a grant.
14 That's -- if anybody cares that's Boone versus Kingsbury.

15 The other thing I came to talk about was public
16 access to inland waters, other than those that are owned
17 where the bed is owned by the State. That in Baker v.
18 Mack in the 1970s, it was told to us that the public has a
19 right to navigate. The navigable easement and the Public
20 Trust apply to inland waters that are navigable in or
21 motor propelled small craft, even if only for recreational
22 purposes, even if the State doesn't own the bed, because
23 it doesn't meet the State title federal land in 1950 test.

24 And in -- around '81 or so, we have the, oh, the
25 Lyon case, the Clear Lake case, in which the Supreme Court

1 told us that the public has a right to be on the
2 temporarily dry land between low and high water mark. And
3 in that case, the Supreme Court said that the -- Lyon
4 brought up -- tried to say that this wouldn't apply to
5 access to the temporarily dry land, that the public would
6 have to go follow the water as it receded.

7 And it cited the Baker v. Mack case. And the
8 court told them no, you're wrong, in a very clear,
9 definite way. No one I know thinks there's any
10 uncertainty about the public's right to be on the
11 temporarily dry banks of recreationally navigable waters
12 in California, except for your legal staff, the only
13 exception to the general understanding that this law
14 applies the way it's been interpreted by the courts.

15 CHAIRPERSON YEE: Mr. Coats, your time has
16 expired.

17 MR. COATS: Okay.

18 CHAIRPERSON YEE: I'm going to actually have you
19 take that issue offline with our staff.

20 MR. COATS: Thank you.

21 CHAIRPERSON YEE: Okay. Thank you.

22 Mr. Rudolph.

23 MR. RUDOLPH: Yes. Thank you. Good afternoon,
24 Chair Yee, Lieutenant Governor Kounalakis and staff. My
25 name is Tom Rudolph. And I'm here today on behalf of the

1 Pew Charitable Trusts. Pew's U.S. Oceans Program has been
2 involved in fisheries management on the west coast for
3 many years. And we've recently begun to work on a broader
4 range of ocean issues, especially protection of coastal
5 habitat.

6 This work is driven by our concerns that the
7 ocean, especially the near-shore ocean, is facing an array
8 of stressors, industrialization, climate change, and ocean
9 acidification will increasingly challenge our ability to
10 understand and co-exist with a healthy ocean.

11 In this context, it's critical to identify and
12 address emerging and future threats, including activities
13 that might harm vital living seafloor habitats that
14 provide critical ecosystem functions and services.

15 That priority, along with our conclusion that
16 market demand will eventually drive new industrial
17 interest in the valuable minerals found in, on, and under
18 the seafloor is why we ask you to include in your new
19 strategic plan the consideration of new precautionary
20 regulations that would preclude seabed mining off
21 California.

22 Seabed mining for minerals already exists in
23 various forms. But more importantly, significant growth
24 is projected, as terrestrial sources for important
25 minerals are depleted and as technological capabilities

1 improve. As far as we know, there's currently no
2 economically viable mineral reserve off California, nor
3 industry plans for exploitation. But there are
4 potentially valuable mineral resources, including
5 phosphorus and precious metals.

6 This absence of prospective development presents
7 an opportunity for resource managers to address and
8 emerging issue without immediate pressure or the need to
9 consider existing investments.

10 We've enjoyed several similar collaborations with
11 California fishery managers in recent years, resulting in
12 the protection of important fish species and sensitive
13 seafloor habitats that had not been previously impacted by
14 fishing gear. We think and hope that there are a variety
15 of potential approaches California resource managers could
16 take to prevent the negative impacts of seafloor mining on
17 critical marine habitats.

18 One of the first core tenets of an ecosystem
19 based approach to resource management is the avoidance of
20 sensitive areas. In the three-mile wide near-shore area
21 regulated by the State is simply incompatible with a
22 high-impact activity like seabed mining, given it's
23 importance to marine mammals, economically important
24 fisheries and other important water-dependent societal
25 uses.

1 We also think there could be approaches taken in
2 partnership with other agencies to protect portions of the
3 seabed even beyond three miles. In conclusion, I want to
4 commend you on both your current strategic plan and your
5 commitment to developing a new one.

6 I noted that your current plan seeks consistency
7 with evolving Public Trust principles and values.
8 Inclusion of that keyword was very forward thinking and is
9 relevant considering an emergency -- emerging scientific
10 consensus that for an awful lot of the seafloor
11 disturbance impacts cannot be considered temporary on
12 human time scales.

13 Slow growing cold water corals over 4,000 years
14 of age and marine sponges, at least 11,000 years old have
15 been found. Recovery of this kind of biogenic habitat
16 from mining impacts would take centuries, if it happened
17 at all.

18 So again, I'd like to ask you to consider the
19 development of precautionary rules for seabed mining,
20 including a prohibition in State waters as an objective of
21 your new strategic plan. And I hope to have the
22 opportunity to work with you all on that in the future.

23 Thank you very much for your time today.

24 CHAIRPERSON YEE: Thank you, Mr. Rudolph, for
25 being here. Appreciate it.

1 MS. CROLL: Hi, everyone. I'm Molly Croll. I'm
2 the Director of the Offshore Wind Program for the American
3 Wind Energy Association, California. Thank you,
4 Commissioners and staff for your time today and for
5 initiating the strategic planning process and inviting
6 stakeholder input. I also thank you for thinking in terms
7 of the long term, toward 2045 and what a five-year
8 strategic plan can do to fulfill our 2045 goals.

9 Mr. Gold spoke this morning about the importance
10 of creating a blue economy and the ocean's role in helping
11 achieve our renewable energy goals. A number of panelists
12 on the last panel also talked about framing the State
13 Lands strategic plan in terms of the climate crisis.
14 Support those comments as well.

15 We absolutely support Mr. Gold's -- sorry, Mr.
16 Gold's point on ocean-based renewables. Offshore wind,
17 especially, should be a crucial part of solving our
18 climate crisis. Ten gigawatts of offshore wind, which is
19 what AWEA California is proposing as a state goal by 2040,
20 would really just satisfy ten percent of the new renewable
21 need -- actually, less than ten percent of the new
22 renewable need, between now and 2040. So it's large in
23 terms of the amount of renewables we have today, but small
24 in that respect. Ten gigawatts is also the size that at
25 commercial scale would drive up to 10,000 jobs for the

1 state. So starting to think at scale, we think is very
2 important.

3 To get to that level of commercial scale, we
4 really need state leadership across various agencies. The
5 biggest problems we need to resolve are identifying ocean
6 space sufficient to build that quantity of wind. We need
7 transmission planning and we need permitting -- a
8 permitting process that coordinates the various agencies.

9 So while we believe that most of the
10 installations will take place in federal waters due to the
11 wind characteristics there, and also probably feasibility
12 of permitting, that doesn't diminish what we see as the
13 State Lands' role in supporting offshore wind.

14 We definitely don't think it should be a
15 federal-only process. We need State's leadership for
16 things like transmission planning. Obviously, the lines
17 that connect turbines to the shore will go across State
18 waters, so your role there will be essential, and also
19 helping us coordinate stakeholder feedback for coastal
20 communities, tribes, and others.

21 So we would encourage the State Lands Commission
22 to ideally adopt a big offshore wind planning goal and
23 focus on the support and role it can have in creating a
24 commercial scale industry in primarily federal waters.

25 Thank you.

1 CHAIRPERSON YEE: Thank you. Thank you, Ms.
2 Croll.

3 All right. Any other members of the audience who
4 wish to speak on Item number 2?

5 Okay. Hearing none.

6 We have other public comments. Shall we proceed
7 to that?

8 EXECUTIVE OFFICER LUCCHESI: That's right. Let's
9 proceed.

10 CHAIRPERSON YEE: Okay. Great. Thank you.
11 Thank you for your patience. We have Ms. Kanyon
12 Sayers-Roods please come forward. And she will be
13 followed by Patricia Miller and Edward Stancil.

14 MS. SAYERS-ROODS: I'd like to thank you for your
15 time. I want to bring up a few things that I'm witnessing
16 in these conversations, is that when we talk about access
17 to land, the entitlement to access to land for public or
18 for other reasons, what about indigenous peoples who want
19 to protect these sites -- these sacred sites that we, as
20 indigenous people, do not believe settlers should be
21 entitled to? What about protecting those? What about
22 spaces that could be interrupted by public domain?

23 And so similar to that conversation about the
24 Sierra Club saying too many people. But I'm just
25 considering where is the equity in that when it comes to

1 access, access, access?

2 And when it comes to the decision-making
3 practices, what I see when it comes to a rush to make
4 decisions is what I'll parallel to rearranging the tables
5 on the Titanic. It's important, if we had to. But with
6 this rush in this decision making, all of these things are
7 intersecular. They are all connected when it comes to the
8 health of the people, the health of the nation, how we are
9 caring for our bioregions, how we're providing care to all
10 of these systems.

11 If I make reference to the before time, before
12 settle -- western colonial construct of time, our
13 communities did not have prisons and did not have
14 homelessness. Our communal accountability was strong and
15 it's rooted. But what that means is we need to invest
16 efforts into educating and connecting community to be
17 accountable to its reciprocal kinship to the entire
18 system.

19 And so when we start making decisions about
20 regulation, or being upset with people to not do this or
21 not do that, even when it comes to the oceans, yeah, not
22 to prioritize allowing mineral extraction. But now, what
23 about agroecology? Because when we think about industrial
24 agriculture, that is hurting these ecological systems too.
25 And the next venture is going to be agroecology. And if

1 we continue doing things in this western colonial
2 construct of decision making, it is not accountable.

3 The same thing when we prioritize science,
4 science, science, our western settler colonial construct
5 of science does not prioritize accountability to these
6 holistic living sacred systems.

7 And so we need to be inclusive of multi-cultural
8 approaches to what is science, what is technology, what is
9 accountability, what is reciprocity, what is humility?
10 And so I ask that when you take into these considerations
11 collaboration with multi-cultural communities, and coming
12 part way to be able to meet them, because I'm a unique
13 individual who's able to stand here and speak with you.
14 But also, there are people who are not in the room who may
15 not be able to navigate this similarly, and it is also all
16 of the agencies' responsibility to become familiar with
17 those communities and invest themselves in those arenas to
18 then be able to join. And let's think about seven
19 generations in the future and how to be good
20 ancestors-in-training.

21 So I thank you.

22 CHAIRPERSON YEE: Thank you very much.

23 MS. MILLER: Hello, everybody. Thank you for
24 hearing me today. I have a letter that I wrote to you --
25 the Commission. And I'll just go ahead and start reading

1 it, so you'll get an understanding of why I'm here.

2 Dear, members. As you are aware, 2018 was a
3 deadly year for California wildfires. I'm very familiar
4 with these events, since our home is located in the Delta
5 fire footprint. Our home survived the fire only because
6 we took active preventative measures, which saved our home
7 from destruction, along with sheer luck, but four direct
8 neighbors lost their homes to the inferno that ensued that
9 day. That was September 5th 2018.

10 The entire forest around us for miles is a
11 complete loss. We have had our partials logged and are
12 working closely with Ben Rowe with CalFire to coordinate
13 and complete all required cleanup of all dead forest wood.
14 It's an overwhelming task, but must be done to bring the
15 forestland back to health and start the renewal process,
16 which must occur not only for human environment, but also
17 the wildlife that depend on the healthy forests to
18 survive.

19 I have some continuing grave concerns though.
20 It's in the nature of further danger to us and potential
21 catastrophic fire hazard, due to the dead mature wood
22 forests on I think it's 240 acres of California State
23 Lands, which is adjacent to our parcels.

24 I'm representing four home landowners here today,
25 because we all have concerns that if that is not

1 mitigated, all the undergrowth that's going to grow up in
2 the next three, four, five years is going to be a tinder
3 box that you cannot imagine, if the fire starts again.

4 Some of these trees that are three feet in
5 diameter, 250 feet in height, and its dense forest. And I
6 did bring some information, if you would like to look at
7 the parcels how they are to our parcels.

8 I -- the fire destroyed all the live trees. And
9 I've been in contact with Jim Porter. Last August, I
10 started to contact him regarding the concerns. He's been
11 extremely helpful. And I really love working with him.
12 He did get a timber sale process initiated, the bid, which
13 closes tomorrow. And so I'm praying and hoping that
14 somebody will bid on that to clean it up.

15 I do have some concerns about that though,
16 because the U.S. forestry land adjacent behind that land
17 put out two bids for forest -- for logging and they didn't
18 get any offers.

19 So it's been a year and five months since the
20 fire, the timber -- when the fire first came, CalFire
21 approached the Lands Commission about logging it and
22 declined to log it at that time, which would have been the
23 perfect time to log it, because the wood is viable. After
24 a certain amount of time pine wood gets blued and then
25 their value of that wood kind of goes away.

1 So my question to the Board is what will happen
2 if there are no bids to log this and get it cleaned up?
3 This timber wood will be falling eventually. And it's so
4 dry already, we watched it shrink over the course of the
5 year. So you could see through all the woods now, even
6 worse than when it was just burnt, because the wood is
7 shrinking. It't not soaking any water. It's drying. And
8 we have heavy, heavy winds up there. And it's going to be
9 falling eventually onto our land. And I have grandkids
10 and stuff playing on our property. And if those trees are
11 falling our direction, that's 250 feet, two to three feet
12 around following on our land, let alone the fire hazard
13 that it creates being unmitigated.

14 So I'm here today asking that something
15 secondary, plan B, be put into place hopefully, or thought
16 of, or considered, if there's no logging contract. I'd
17 like to see at least a 200-foot buffer from your property
18 land to our land border to be cleared at least to prevent
19 falling trees.

20 And hopefully, if another fire does go through
21 that section of dead, dead trees, that the flames won't be
22 so intense that I can't save my house again. We saved our
23 house with a sprinkler on top our roof with two
24 3000-gallon water tanks feeding water with no power to
25 save our house, and it worked.

1 So I just would like to present that to you as
2 something to think about and --

3 CHAIRPERSON YEE: Thank you.

4 MS. MILLER: -- hopefully help us out.

5 CHAIRPERSON YEE: Thank you very much, Ms.
6 Miller.

7 MS. MILLER: And I've got to mention the deer.
8 We have a -- still have a herd of about 11, 12 deer that
9 continually stay in the area. I can't say the neighbors
10 haven't been helping them.

11 (Laughter.)

12 MS. MILLER: But they stick around, and they're
13 there, and they're viable, and I'd like to see their
14 habitat restored too in some way.

15 CHAIRPERSON YEE: Thank you. Do you have -- Ms.
16 Miller, do you have some documents you want to submit to
17 the Commission?

18 MS. MILLER: Yes. May I approach?

19 CHAIRPERSON YEE: Please. Yeah, just give it to,
20 Ms. Lunetta.

21 Actually, you want to just give it to the clerk.

22 EXECUTIVE OFFICER LUCCHESI: Thank you.

23 MS. MILLER: Thank you.

24 EXECUTIVE OFFICER LUCCHESI: Following --
25 following up, if I may, Chair?

1 CHAIRPERSON YEE: Yes.

2 EXECUTIVE OFFICER LUCCHESI: We share Ms.
3 Miller's concerns. And we are working on a plan B,
4 coordinating very closely with CalFire and other agencies
5 within the Natural Resources umbrella to address this
6 issue.

7 CHAIRPERSON YEE: Great. Thank you, Ms.
8 Lucchesi.

9 I'm going to ask the next three speakers to just
10 be prepared to come up all testifying on Docket. Mr.
11 Stancil, please, you're first. Dan Slanker and Mary
12 Bernier. Please come forward. Your time is ticking, Mr.
13 Stancil.

14 MR. STANCIL: I'm the 5,000-pound gorilla in the
15 room. So liveaboard, liveaboard, liveaboard, liveaboard,
16 liveaboard. So I'm a liveaboard. I respect every part of
17 the river and the ocean. Right now I'm living aboard
18 Redwood Creek. I've been there since 1986.

19 In 1937, the City of Redwood City made a separate
20 district called the Port District or Port Department. In
21 1938, State Lands was founded and they entered in in 1967
22 to an agreement with Redwood City. But in the Redwood
23 City charter, it says that the port is in charge of all
24 water touching underneath water and harbors. So I'm
25 thinking that you guys entered in with the wrong party.

1 And then when we've come here. This is my
2 seventh time I spoke to you guys. You recognize me, I'm
3 sure. And what they say is that, oh, you know, talk to
4 Jennifer. Oh, talk to Sheri, talk to this, talk to --
5 it's like you guys have to work with the city. And we go
6 to the city, and the city goes, oh, no, we're not working
7 with you. It's all State Lands. They said you have to
8 go. You just have to go.

9 And it's like, okay, well, my house is sitting
10 here. It's not on State lands as far as I can tell. It's
11 part of Port District. And, oh, it's navigable, so it's
12 really federal property. Oh, wait a minute, the Ohlones
13 used to live here. I'm thinking, oh, my God, it's a
14 win-win situation. Give it back to the Ohlones. We'll
15 rent from them and everything will be fine.

16 So there you go. There's a solution for you.
17 I'd like to see you at least do some sort of significant
18 redistribution of land back to the Ohlone indians who have
19 totally been kicked down the road and pushed off to the
20 side.

21 Also, on your gas thing that you've got going on
22 with this one guy that has two companies, cut -- if you
23 have one person carrying one big basket of eggs and you
24 want to take that away from them so that you have two
25 smaller baskets, go ahead and cut the lease off for

1 Newport from San Diego, and that would give you two
2 smaller baskets that you could go ahead and get some more
3 easier terms on.

4 Anyway, that was it. I got 11 seconds left and
5 I'm thinking the -- you don't have jurisdiction, because
6 you entered into it with the wrong people. You're forcing
7 me to lose my house and I don't like it.

8 Thank you.

9 CHAIRPERSON YEE: Thank you, Mr. Stancil.

10 MR. SLANKER: Good afternoon. And thanks for the
11 opportunity to speak, Lieutenant Governor Kounalakis --
12 excuse me -- and Betty Yee.

13 So my name is Dan Slanker. I'm a registered
14 professional engineers -- registered professional engineer
15 20 years at Mercury Marine, and the last standing
16 president of the Redwood Creek Association and Secretary
17 at the San Francisco Bay Marinas For All.

18 We have Romancing the Creek coming up on February
19 22nd. It's a wonderful adventure that we have where we
20 clean the creek, and we pull out up to 10,000 pounds of
21 trash from the creek and provide good stewardship to the
22 creek. This has been 20 years that this has been going
23 on. So welcome anybody to come out for it. It's fun. I
24 probably enjoy it the most, but definitely fun.

25 So I'd like to talk some more about Dockettown and

1 just mention -- I like to point this out. Actually, Mary
2 Bernier was the one that brought this to my attention,
3 that displacement is secondly only to the loss of a loved
4 one and that's exactly what's happening there.

5 Right now, we're down to the -- to the most
6 vulnerable residents that are there. I'm definitely one
7 of the lucky ones. As far as some of the other residents
8 that are there, they really have nowhere else to go.

9 I -- we received a letter back from Eleni's
10 office. And I appreciate that. And I passed that on to
11 the residents and a lot of the residents replied back that
12 they were grateful to have that letter back. So thank
13 you.

14 Also got some response back from Governor Newsom
15 and possibly a meeting that may be as a result of that.
16 Docketown has been here for 75 years. And I'm not sure why
17 that doesn't fall into the status quo of things. That's a
18 really long time and there's still several lawsuits that
19 are active, and some that may reemerge themselves from
20 what I understand.

21 The whole deal has been very odd and a
22 sociopolitical, bizarre thing. Certainly doesn't seem
23 right when you step back from it. It just seems like a
24 slow take of the property and land, which was mudflats
25 that people didn't care about. And now it's the last land

1 that's available in Silicon Valley, so all of a sudden
2 it's valuable and the people that were there are being
3 displaced.

4 So the California Relocation Act is the only
5 protection that we have from that. And there's no mobile
6 home relocation law. It's kind of out there in no man's
7 land, as far as law and protection-wise, but it doesn't --
8 it doesn't mean that it's right and that it can go on as
9 it is, as far as unjust compensation for the people that
10 are there.

11 And the last time I told you about the residents
12 that were made homeless as a result of the Docketown plan
13 and it's still current today and even more. There's still
14 people there that are living right outside the property in
15 their RVs and trailers. And these are people that were
16 actually able to exist at Docketown for 10 or 15 years
17 beforehand, and -- because they had two jobs, they're very
18 hard working people, but they can't afford property
19 outside in Silicon Valley area.

20 So I believe I'm out of time there. I hope you
21 can help us out in any way that you can, even -- I know
22 housing is a big priority today. And if you can please
23 emphasize that, that would be helpful.

24 Thank you.

25 CHAIRPERSON YEE: Thank you, Mr. Slanker.

1 MS. BERNIER: This is wonderful. So I don't have
2 to do my little stopwatch.

3 Hi. Thank you very much, Chairwoman Yee,
4 Lieutenant Governor Eleni Kounalakis, -- donde esta --
5 Commissioner Miller is not here, Jennifer Lucchesi. And I
6 think I couldn't find -- oh, Sheri Pemberton.

7 So we've been coming here, I have anyway, for two
8 years talking about trying to use the floating homes that
9 are empty on Redwood Creek for serving the low-income
10 community in our area. And we started out with 35
11 floating homes and boats, and now there's maybe three
12 floaters left, maybe seven.

13 But the idea is to try to help the emancipated
14 youth, children who, you know, young -- very young adults
15 now, who are in the foster care system, and who have
16 emancipated themselves or have kind of timed out at 18,
17 and who often don't have housing.

18 So -- now, I have to look at my notes to make
19 sure I don't forget something.

20 It was wonderful to hear you being so sensitive
21 to the needs of underserved communities and indigenous
22 peoples. And I know that as it was spoken about with
23 housing, that the normal way of looking at it as Public
24 Trust land, no housing. But there are -- it was a
25 wonderful thing in 2016 that you supported the legislative

1 solution that Aaron Aknin from the city did, and Senator
2 Hill covered it.

3 And Chairwoman Yee, you referred to that February
4 4th, anyway. No details, but that didn't work out so
5 well.

6 But right now, our city just keeps saying again,
7 and again, and again that it's illegal to have housing
8 there. So several nonprofits have approached them with
9 different ideas of who their constituency could be,
10 developmentally and other disabilities. I mean, it's
11 really ridic -- it's a sad thing. They all are told no.

12 So I have a video and -- oh, guy, I still have a
13 few more minutes. The video is basically just yourself
14 Chairwoman Yee and Jennifer speaking on June 21st of 2018,
15 and just encouraging the people who were there speaking
16 from the community to -- certainly, you're working with
17 your city and the State Legislature. And I think the way
18 you had said it was we're here, we're willing to look at a
19 proposal that you might bring back to us.

20 When I -- that night I was so excited I found
21 Mayor Bain, and then later I transcribed it and gave all
22 the city council people the -- you know, the
23 transcription, tried to show the video at their meeting.
24 It didn't work. But the next video worked, February 4th's
25 meeting. And Mayor Bain said he was going to write you.

1 He was going to clarify what you meant. And five months
2 later -- hi. I forget to acknowledge you in the back --
3 five months later they finally wrote a letter, November
4 20th. And when they wrote the letter, we found out that
5 they were -- equally it's out of time.

6 Oh, no. I was looking at the seconds left
7 instead. So you'll see the video. You've got the
8 transcript.

9 Aye yai yai, I was looking at it wrong.

10 Thank you for thinking of the emancipated youth.
11 And just if we could find out, is that still your
12 position, what was said, that we could bring some kind of
13 a proposal, because the non-profits are scared of the
14 City. The City says no. So then the county says no.
15 Everybody is backing up.

16 Thanks a lot.

17 CHAIRPERSON YEE: Thank you. Thank you.

18 Ms. Lucchesi, I think that option still stands --

19 EXECUTIVE OFFICER LUCCHESI: Right.

20 CHAIRPERSON YEE: -- before the Legislature.

21 Yes.

22 EXECUTIVE OFFICER LUCCHESI: I think that's
23 right. And we remain open and available to working with
24 the city, with any potential legislators as an author to
25 look at how we balance the needs of -- that have been

1 expressed here, with the principles of the Public Trust
2 and try to find a solution. As was mentioned earlier, we
3 thought we had gotten to agreement on some language. And
4 unfortunately, it did not move forward.

5 So that option is still on the table to consider.
6 And so we remain here, and available, and open.

7 CHAIRPERSON YEE: Great. Thank you.

8 Any other members of the public who wish to
9 address the Commission?

10 Okay. Seeing none. Ms. Lucchesi, our next item?

11 EXECUTIVE OFFICER LUCCHESI: Adjourning into
12 closed session is our next item?

13 CHAIRPERSON YEE: Okay. Very well. Members of
14 the audience, thank you for your patience. Thank you for
15 your participation. The Commission will now go into
16 closed session. So we will ask you to vacate the room,
17 please.

18 MR. STANCIL: Do we have a quorum?

19 CHAIR YEE: Yes.

20 Thank you.

21 (Off record: 2:42 p.m.)

22 (Thereupon the meeting recessed
23 into closed session.)

24 (Thereupon the meeting reconvened
25 open session.)

1 (On record: 2:49 p.m.)

2 CHAIRPERSON YEE: Okay. We'll readjourn --
3 we'll -- I'm sorry, we'll reconvene in regular session.
4 The Board -- the Commission met in closed session.

5 Ms. Lucchesi, anything to report out?

6 EXECUTIVE OFFICER LUCCHESI: No.

7 CHAIRPERSON YEE: Okay. Nothing to report out
8 from closed session.

9 Without any other business before the Commission,
10 this Commission is adjourned.

11 Thank you.

12 (Thereupon the California State Lands
13 Commission meeting adjourned at 2:50 p.m.)

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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 20th day of February, 2020.

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