

Francis E. Coats
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

June 20, 2020

California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

Re: Disclosure of School Lands and Former School Lands Subject to the Public Right to Fish.

To the California State Lands Commission:

Please provide the public with a usable list of School Lands including In Lieu Lands, and of former School and In Lieu Lands transferred out of state ownership after November 8, 1910, by posting on the Commission's website the lists of vacant state school lands distributed by the Surveyor General, the Department of Finance Division of State Lands, and the State Lands Commission during the period from November 8, 1910 to the present. These are lands owned by the state and so subject to the right to fish in the first clause of section 25, article I of the state constitution or, they are lands sold or transferred after November 8, 1910, and so subject to the right to fish in the public as provided in the second clause of section 25.

I have attached a list of the lists of vacant school lands I have been able to identify; and, copies of the lists I have obtained over the internet.

Discussion:

On November 8, 1910, the people of California adopted section 25 of article I of the California Constitution, which provides in part:

The people shall have the right to fish upon and from the public lands of the State and in the waters thereof, excepting upon lands set aside for fish hatcheries, and no land owned by the State shall ever be sold or transferred without reserving in the people the absolute right to fish thereupon;

(Sec. 25 added Nov. 8, 1910, by A.C.A. 14. Res.Ch. 44, 1909.)

By letter dated July 23, 1915, the Attorney General advised the Surveyor General:

Although this provision of the constitution must be read into every patent which is issued while it is in force and effect, nevertheless the section is sufficiently clear to require you to insert such a reservation in the patents which are issued, so that the rights of the people may be thus reserved even though the Constitution is subsequently changed.

Attorney General's Opinions and the Commission's minutes disclose that the Commission and its predecessor agencies, the Surveyor General and the Department of Finance Division of State Lands,

routinely have imposed an express reservation in the people of the absolute right to fish as provided in the second clause of section 25, article I, upon the sale or transfer of school and in lieu lands (lands received under the act of March 3, 1853, chapter 45, 10 Stat. 8716), since November 8, 1910.

As noted in the Attorney General's letter of July 23, 1915, the reservation of the absolute right to fish provided in the second clause of section 25, article I, will be read into any grant in which it is not expressly provided. "The words of the Constitution are to be considered as incorporated in the grant or patent [granting tidelands] the same as if inserted therein. They become a part of it and qualify it so that the estate granted is limited to the permitted uses" *Forestier v. Johnson*, 164 Cal. 24 [127Pc. 156]. *Boone v. Kingsbury*, 206 Cal. 148, 273 P. 797 (1928)). However, the fishing rights reservation has been expressly included in each patent of school and in lieu lands since November 8, 1910, so my request today does not rely on the incorporation of the reservation in those cases in which it does not appear in print in the granting document.

The Surveyor General provided the public with lists of vacant, state-owned School Lands state-wide, dated:

September 1, 1915, (LB2827 C2 1915; Library of Congress 0-021-324-644-6);

September 1, 1916, (LB2827 C2 1916 Library of Congress 0-021-324-645-8);

1917

July 22, 1919, (LB2827 C2 1919, Library of Congress 0-021-324-646-A);

July 29, 1921, (LB2827 C2 1921 Library of Congress 0-021-324-647-1).

The Department of Finance, Division of State Land, provided the public with a state-wide list dated November 1, 1929. The State Lands Commission provided the public with a list dated in September 9, 1935 (F525.S3) and 1943 (L260.L5).

The Surveyor General provided the public with lists for specific counties:

January 1, 1924, San Bernardino County (S6000.S3s)

January 1, 1924, Riverside County (S6000.S3r);

March 1, 1924, San Diego and Imperial Counties (S6000.S3sa);

May 1, 1924, Lassen, Modoc, Del Norte, Humboldt and Mendocino Counties (S6000.S3l);

May 1, 1924, Napa, Solano, Sonoma and Yolo Counties (S6000.S3n);

June 1, 1924, Sierra, Nevada, Plumas and Alpine Counties (S6000.S3si);

May 1, 1925, Los Angeles, Tehama, Lake and Mendocino Counties (S6000.S3Lo);

?/?/1925, Monterey, Santa Clara, Lassen, Mono, and Inyo Counties (S6000.S3m);

April 1, 1926, Imperial, Kern, Riverside, San Bernardino, and San Luis Obispo Counties (S6000.S3i).

Today these lists identify lands which either remain state-owned school lands subject to the public right to fish under the first clause of section 25; or, which were state-owned school lands after November 8, 1910, and subsequently sold or transferred and so are burdened by the fishing rights reservation under the second clause of section 25.

These lists, if made available to the public would identify a substantial portion of the current and former state-owned school lands subject to the public right to fish provided in section 25, article I of the state constitution.

In addition to being responsible for managing the reserve fishing rights interests, the CSLC manages about 460,000 acres of school lands still owned in fee, and about 790,000 acres of reserved mineral interests in former state school lands, according to current CSLC reports. The state began reserving mineral interests upon the sale of state-owned lands in 1921, so that all lands subject to mineral interest reservation would also be subject to the fishing rights reservation. The Commission can disclose to the public about 1,250,000 acres of land on which the public has a right to fish by providing a list of retained school lands and reserved mineral interest lands.

The CSLC is the trustee for the public of the right to fish on state-owned and the reserved fishing rights interests on formerly state-owned school and in lieu lands. These interest are only meaningful if the trustee discloses their location to the beneficiaries, the members of the public.

For the above reasons, I would again request the CSLC to make available to the public the location of lands subject to the public right to fish under section 25, article I of the state constitution, both school lands still owned by the state and school lands transferred out by the state after November 8, 1910.

The great majority of the lands subject to these fishing rights are identified in the lists of vacant school lands provided to the public by the Commission and its predecessors in interest, several of which are identified in this letter. All the Commission need do to make this information available to the public in a usable form is to post these lists on the Commission's website.

I don't know exactly what would be involved in disclosing the location of retained lands and retained mineral interests, but as these are actively managed, I have to assume there is a way of producing a list within a reasonable effort.

Sincerely,

Francis E. Coats

RE. Disclosure of Lands Subject to the Public Right to Fish, Sec. 25, Art. I, Cal. Const.

June 20, 2020

Page 4

DATE	COVERAGE	Cal. State Library	Lib of Congress	Lib of Congress	U C Berkeley
9/1/1915	State		LB2827 C2 1915	0-021-324-644-6	x
9/1/1916	State		LB2827 C2 1916	0-021-324-645-8	x
1/1/1917	State	GPCA CSD L400.L57			
1917	State	GPCA CSD L400.L59			
7/22/1919	State		LB2827 C2 1919	0-021-324-646 A	UCB Docs Dept KA 65 L:
7/29/2021	State		LB2827 C2 1921	0-021-324-647 1	UCB Docs Dept KA 65 L:
6/1/1927	State		LB2827 C2 1927		
11/1/1929	State				New York Public Library
11/1/1930	State				
1/1/1935	State	GPCA CSD F525.S3			
1/1/1943	State	GPCA CSD L260.L5			
1/1/1924	San Bernardino	GPCA CSD S6000.S3s	LB2827.C2 1924		UCB Docs Dept KA 65 L:
1/1/1924	Riverside	GPCA CSD S6000.S3r			x
3/1/1924	San Diego, Imperial	GPCA CSD S6000.S3sa			
5/1/1924	Lassen, Modoc, Del Norte, Humboldt, Mendocino	GPCA CSD S6000.S3L			
5/1/1924	Napa, Solano, Sonoma, Yolo	GPCA CSD S6000.S3n			
6/1/1924	Sierra, Nevada, Plumas, Alpine	GPCA CSD S6000.S3si			
5/1/1925	Los Angeles, Tehama, Lake, Mendocino	GPCA CSD S6000.S3Lo			
1/1/1925	Monterey, Santa Clara, Lassen, Mono, Inyo	GPCA CSD S6000.S3m			
4/1/1926	Imperial, Kern, Riverside, San Bernardino, San Luis Obispo	GPCA CSD S6000.S3i	LB2827 C2 1926		UCB Docs Dept KA 65 L:

DATE	COVERAGE	RECORD ID	LIBOFCONG
9/1/1915	State	LB2827 C2 1915	0-021-324-644-6
9/1/1916	State	LB2827 C2 1916	0-021-324-645-8
1917	State		
7/22/1919	State	LB2827 C2 1919	0-021-324-646 A
7/29/2021	State	LB2827 C2 1921	0-021-324-647 1
11/1/1929	State		
1930	State		
1935	State	F525.S3	
1943	State	L260.L5	
1/1/1924	San Bernardino	S6000.S3s	
1/1/1924	Riverside	S6000.S3r	
3/1/1924	San Diego, Imperial	S6000.S3sa	
5/1/1924	Lassen, Modoc, Del Norte, Humboldt, Mendocino	S6000.S3l	
5/1/1924	Napa, Solano, Sonoma, Yolo	S6000.S3n	
6/1/1924	Sierra, Nevada, Plumas, Alpine	S6000.S3si	
5/1/1925	Los Angeles, Tehama, Lake, Mendocino	S6000.S3Lo	
1925	Monterey, Santa Clara, Lassen, Mono, Inyo	S6000.S3m	
4/1/1926	Imperial, Kern, Riverside, San Bernardino, San Luis Obispo	S6000.S3i	

	A	B	C	D	E	F
1	DATE	COVERAGE	GPCA CSD	LibofCongress	LibofCong	UCBERKELEYDOCS
2	9/1/1915	State		LB2827-C2-1915	0-021-324-644-6	
3	9/1/1916	State		LB2827-C-1916	0-021-324-645-8	
4	??1917	State	L400.L57			
5	??1917	State	L400.L59			
6	7/22/1919	State		LB2827-C2-1919	0-021-324-646A	KA 65 L3AI 1919-1926
7	7/29/1921	State		LB2827-C2-1921	0-021-324-647-1	KA 65 L3AI 1919-1926
8	6/1/1927	State		LB2827-C2-1927		
9	11/1/1929	State				
10	11/1/1930	State				
11	??1935	State	F525.S3			
12	??1943	State	L260.L5			
13	1/1/1924	San Bernardino	S6000.S3s	LB2827-C2-1924		KA 65 L3AI 1919-1926
14	1/1/1924	Riverside	S6000.S3r			
15	3/1/1924	San Diego, Imperial	S6000.s3sa			
16	5/1/1924	Lassen, Modoc, Del Norte, Humboldt, Mendocino	S6000.S3L			
17	5/1/1924	Napa, Solano, Sonoma, Yolo	S6000.S3n			
18	6/1/1924	Sierra, Nevada, Plumas, Alpine	S6000.S3si			
19	5/1/1925	Los Angeles, Tehama, Lake, Mendocino	S6000.S3Lo			
20	??1925	Monterey, Santa Clara, Lassen, Inyo, Mono	S6000.S3m			
21	4/1/1926	Imperial, Kern, Riverside, San Bernardino, San Luis Obispo	S6000.S3i	LB2827 C2 1926		KA 65 L3AI 1919-1926

The Snows

Raymond M. Snow
Suzanne L. Snow

June 12, 2020

Re:PRC7397.9

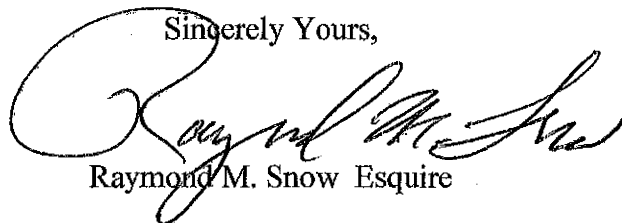
Grace Kato
California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825-8202

Dear Mss. Kato,

On August 25, 2019 I advised you by letter I did not intend to renew my lease. Apparently you don't read English or understand it. You continue to send threatening letters to me which I consider a calculated plan of harassment on your part. If you send me anymore I will use my 27 years of trial experience to end your illegal and insulting tactics while simultaneously seeking monetary damages.

There is no dock on the State right of way on the property. In addition I am no longer the owner of the property and am extremely glad to finally be totally away from the Socialist Republic of the State of California.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read 'Raymond M. Snow', is written over the typed name.

Raymond M. Snow Esquire

The Snows

Raymond M. Snow
Suzanne L. Snow

August 25, 2019

Re: PRC7397.9

Grace Kato
California State Lands Commission
100 Howe Avenue ,Suite 100-South
Sacramento, CA 95825-8202

Dear Ms. Kato,

I assume the letter you sent me on August 21, 2019 regarding renewal of my lease is a form letter and you have no idea about the lake conditions at Eagle Lake. The lake has been so low for the last ten years that there has been no water anywhere near my property. Two main marinas have been unusable for over 10 years. The third marina has occasionally been usable early in the season for no draft small boats. I renewed my lease 9 years ago at considerable expense and my dock has never been on your property in probably the last 12 years. So to add insult to injury you now want to have me send you \$1525.00 and pay rent in addition? I have no interest in renewing the lease.

The sane and humane thing for you agency to do is to renewal all the Eagle Lake leases for ten years automatically at no expense and rent free. I am sure that the Socialist Republic of California will never do the correct thing and honest thing to do when the only objective is to shaft the landowner's and taxpayers out of more money. I would appreciate it if you would include this letter in your Land commissioner's packets for the next meeting.

Respectfully yours,

Raymond M. Snow

From: Marc Saltzberg <[REDACTED]>
Sent: Tuesday, June 23, 2020 8:25 AM
To: CSLC CommissionMeetings
Subject: SUBJECT: 6/23/2020: Comment re:Gas Storage beneath Public Trust Land in Ballona Wetlands
Attachments: 200601_WLADC_LtrHdReso_GasStoragePublic_slc.pdf

Attention: This email originated from outside of SLC and should be treated with extra caution.

The State Lands Commission owns 60 acres of Public Trust Lands within the boundaries of the Ballona Wetlands Ecological Reserve, located between Playa del Rey and Marina del Rey in Los Angeles County. SoCalGas operates an underground gas storage (UGS) facility located beneath the Reserve and the Public Trust Land. Attached, please find a resolution from the West LA Democratic Club requesting an end to gas injection into the storage facility while waiting for a decision to shutdown and decommission the operation. It was passed unanimously by the West LA Democratic Club Executive Board at its June 1, 2020 meeting. Members of our club live near the UGS and, because of their proximity to the site, they and 700,000 other residents of the area (as well as LAX) are at risk from the storage facility. Gas has been leaking from the partially depleted oil reservoir it is stored in since the facility was created in 1942. Some of those leaks were to other abandoned reservoirs (beneath Marina del Rey and Venice), others to the atmosphere, and some to the aquifer. Many of our local representatives have recognized the dangers associated with this facility and have called for its operations to be discontinued and the facility properly decommissioned. Unfortunately, no actions that would lead to closure of the UGS have been taken.

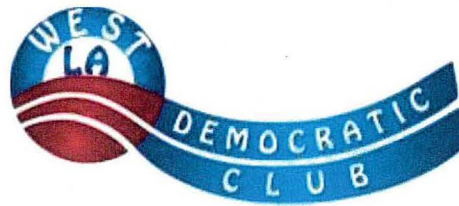
This resolution should be considered in the context of the LA County Democratic Party's resolution on the Ballona Wetlands passed in 2014 (https://bit.ly/LACDP_2014_Resolution). That resolution opposed plans for a construction project at the Ballona Wetlands Ecological Reserve (misnamed as a "restoration") that would radically alter the landscape and ecosystem. The first step in that proposed project would be the relocation of the infrastructure required to support underground gas storage operations (and, in the process, extending the useful life of this hazardous facility).

We hope you will join us in calling for an end to gas storage operations and decommissioning the facility.

Thank you,

Marc Saltzberg

West LA Democratic Club Executive Board
Los Angeles County Democratic Party
California Democratic Party



West LA Democratic Club Resolution Regarding Playa del Rey Underground Gas Storage Operations

WHEREAS, SoCalGas operates an underground gas storage (UGS) system in Playa del Rey (partially located beneath the Ballona Wetlands Ecological Reserve), but the City of Los Angeles has a plan ("[Green New Deal](#)") to convert natural gas electricity generation to other sources by 2045 (decreasing the need for SoCalGas' UGS) and, according to a California Council on Science and Technology (CCST) report on the "[Long-Term Viability of Underground Natural Gas Storage in California](#)" (Executive Summary page 9), the "Playa del Rey facility... does not store or withdraw a large amount of gas providing only about 1% of total... gas storage across California"; and

WHEREAS, SoCalGas' operation in Playa del Rey was described by the CCST as, "... [having] a long history of [leaks] and is located near a large population center in a very high wildfire hazard zone, [and] stands out as a facility with... higher risk to health and safety than the other facilities in California," (ibid, page 4) and "The State should commission a cost-benefit analysis including full consideration of risks... from this facility" (ibid, page 9); and

WHEREAS, Letters from: LA City Council Member Mike Bonin (District 11 on May 22, 2019), State Senator Ben Allen (Senate District 26 on July 2nd and July 23rd, 2019), and the LA County Board of Supervisors (a "five-signature letter" on January 8, 2020), were sent to California's Department of Conservation Division of Oil, Gas, and Geothermal Resources (DOGGR), California Geologic Energy Management Division (CalGEM, DOGGR's successor) and Governor Gavin Newsom requesting a study to look at the viability and feasibility of closing the Playa Del Rey Natural Gas Storage Facility;

Therefore, be it resolved, the West LA Democratic Club asks that CalGEM order an immediate halt to injection of gas into the underground gas storage facility operated in Playa del Rey by SoCalGas, temporarily improving safety until the City of Los Angeles or the State of California orders the facility closed and decommissioned; and

Be it further resolved, this resolution shall be communicated to Governor Gavin Newsom, CalGEM, California Public Utilities Commission, SoCalGas, California Democratic Party, local environmental organizations and Democratic Clubs.

Cc: California State Lands Commission, United States Senators Kamala Harris and Dianne Feinstein, United States Representatives Maxine Waters, Ted Lieu and Karen Bass, California State Senators Ben Allen and Holly Mitchell, California Assemblymember Autumn Burke, LA County Board of Supervisors, LA Mayor Eric Garcetti, LA City Councilmember Mike Bonin