

December 14, 2020

State Controller Betty T. Yee
Chair, California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento CA 95825

RE: 2021-2025 California State Lands Commission Strategic Plan (Agenda Item 60)

Dear Chair Yee,

I am writing today on behalf of The Pew Charitable Trusts to again request that the California State Lands Commission (Commission) address seabed mining for hard minerals¹ on California's marine submerged lands in the Commission's 2021-2025 Strategic Plan. Specifically, we request that the Commission include a review of marine mineral leasing policies and consideration of withdrawing submerged lands from the mineral leasing program in the prioritization and planning commitments of the new strategic plan.

Building upon our previous recommendations and the Commission's intent to include a new guiding principle of public health and safety,² we suggest that the Commission prioritize an effort to identify and address emerging issues that could negatively impact public health and safety. Furthermore, we request that seabed mining be included as an example of a potentially harmful activity on Commission-managed lands in the marine environment, one that has been the focus of substantial public input. Because many of the ecosystem services provided by a healthy ocean are vital to public health and safety, and because seabed mining would negatively impact the ecosystem in profound yet poorly understood ways, foreclosing on the possibility of this activity would be a sensible and forward-thinking way to build ocean resilience in support of health and safety.

We also want to take the opportunity of your December meeting to share a data visualization on seabed mining that we developed earlier this year, and which is included as an attachment to this letter.³ This infographic includes illustrations of the technology in seabed mining and its impacts, and we hope that it will be helpful in conveying the importance of the opportunity before the Commission to begin planning for the prohibition of this emerging industry in California's vital nearshore waters before it can begin.

¹ For the purposes of these recommendations, "hard minerals" are seabed mineral resources other than sand, gravel and shell historically extracted for existing uses such as beach re-nourishment, aggregate etc., including but not limited to phosphorite, metals, and metal-enriched sands

² See California State Lands Commission, [Staff Report 44](#) (Informational): Informational Update on Efforts to Develop the Commission's 2021-2025 Strategic Plan, 10/22/2020, at p. 5

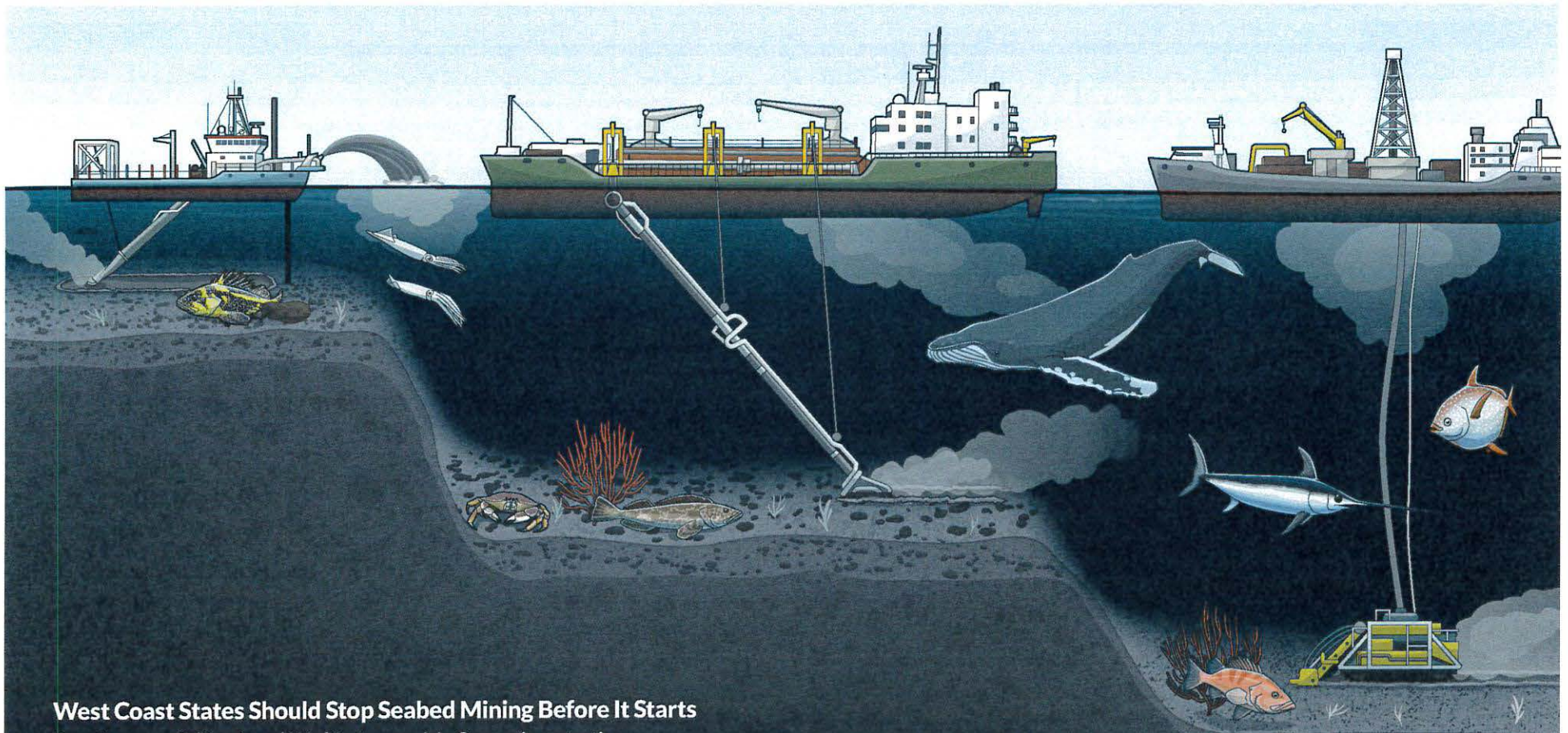
³ See The Pew Charitable Trusts, "West Coast States Should Stop Seabed Mining Before It Starts", data visualization, available at <https://www.pewtrusts.org/en/research-and-analysis/data-visualizations/2020/west-coast-states-should-stop-seabed-mining-before-it-starts> September 29, 2020

We have appreciated the opportunity to engage with the Commission on this important issue and the Commission's strategic planning over the course of the year, and we thank the Commission for its efforts to steward California's marine resources. And we look forward to further collaboration as the strategic planning effort continues into 2021.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Rudolph".

Tom Rudolph
Officer, Conserving Marine Life in the U.S. and Northern Oceans Conservation
The Pew Charitable Trusts



West Coast States Should Stop Seabed Mining Before It Starts

By acting now, California and Washington can join Oregon in protecting Pacific fisheries, coastal economies

As global demand for gold, platinum, titanium, phosphorus, and other minerals grows and terrestrial sources dwindle, industrial-scale prospectors, aided by new technology, could target the U.S. West Coast's nearshore seafloor in search of these valuable resources. But mining in coastal waters could harm commercial and recreational fisheries, marine wildlife, and the communities that depend on them.

- Marine mining can include dredging ships equipped with cutting heads to break up hard seabed, or more destructive techniques, such as bottom crawlers designed to remove up to 12 inches of rocky seafloor crust. All of these methods can remove or destroy fish, invertebrates, corals, and habitat.

- Mining can generate large sediment plumes, often laced with toxins, that smother marine life, including commercially and recreationally important fish, marine mammals, and algae, such as kelp. The plumes can travel long distances on tides or currents, putting beaches and tide pools at risk.
- Oregon prohibited seabed mining for hard minerals in 1991. California and Washington should act now to follow that example given the significant emerging evidence that seabed mining would harm fisheries, wildlife, and communities.



December 11, 2020

Ms. Betty Yee, Chair
State Lands Commission
100 Howe Ave., Suite 100S
Sacramento, CA 95825

RE: Seabed Mining in 2021-2025 Strategic Plan

Dear Ms. Yee and Members of the Commission:

Endangered Habitats League (EHL) requests that the California State Lands Commission update regulations governing seabed mining on California Submerged Lands as an objective in the Commission's 2021-2025 Strategic Plan. For your reference, EHL is a Southern California regional conservation group.

We are specifically asking for a prohibition on seabed mining for hard minerals on or under California Submerged Lands, and request that the Strategic Plan update prioritize this proactive reform.

It is critical to identify and address emerging and future threats, including activities that might harm sensitive seafloor habitats that provide critical ecosystem functions and services. A growing body of evidence points to accelerating interest in the exploitation of ocean minerals, including those found in the nearshore areas along continental margins.

Scientists warn that the ecological impacts of seabed mining could be profound. Without action by the Commission, mining could someday occur in California's nearshore waters, with significant negative impacts, including:

- Smothering or toxicity from sediment plumes;
- Increased noise;
- Loss of biodiversity;
- Light pollution; and,
- Physical disturbance of the seabed, up to and including the removal of plants, animals, and substrate.

Negative social and economic impacts of marine mining could also be severe on affected communities.

Given its importance to marine mammals, economically important fisheries, tourism, and other important, water-dependent societal uses, the three-mile wide

nearshore area regulated by the state is a highly sensitive area that is incompatible with a high impact activity like seafloor mining. For this reason, the current regulatory regime of lease applications on a case-by-case basis is obsolete. The preclusion of hard mineral mining on submerged lands would be a more proactive and durable solution to this emerging threat.

Thank you for considering our views.

Yours truly,

A handwritten signature in blue ink, appearing to read "Dan Silver", with a stylized flourish at the end.

Dan Silver
Executive Director



CRW 290 S. Main St. #817 Sebastopol CA 95472 www.CRiverwatch.org

December 14, 2020

Ms. Betty Yee, State Controller and Chair California State Lands Commission

100 Howe Ave., Suite 100S
Sacramento, CA 95825

RE: Include Seabed Mining Prohibition in 2021-2025 Strategies Plan

Dear Ms. Yee and Members of the Commission,

My name is Larry Hanson, President of the Board of California River Watch and Forest Unlimited. I spoke to the commission back in August on the issue of seabed mining, and while I appreciate the Commission and all the work you accomplish, I must share my disappointment that no mention of seabed mining has been included in any draft language in the 2021-2025 strategic planning. Every passing month the Commission does not have regulations and policies in place to prevent or prohibit mining of the near-shore ocean floor for minerals and materials, the closer we get to a world where marine habitats and other ecosystems cannot survive and face a complete collapse.

At California River Watch, our mission is rooted in the water: we empower people to protect water quality in rivers, tributary watersheds, oceans, bays, wetlands, surface and groundwater in California. And at Forest Unlimited our mission is rooted literally in the roots of our ancient forests and in the grassroots, that is people dedicated to protecting, enhancing, and restoring the forests and watersheds of Sonoma County. At the end of the day, I think both groups understand the connectivity of our natural resources, whether it's from ridgetops to rocky intertidal areas, and from reefs down to the seafloor. The upwelling of nutrient rich deep water out past the California coast's narrow continental shelf is the main driver of abundant marine wildlife, including recreationally and commercially important fish species on which our coastal communities depend. Marine mining could potentially have detrimental impacts on salmon and their prey, especially with regards to sediment plumes.

This area will be under tremendous threat if seabed mining were to occur off our coast. Our deep is for keeps. Please be proactive in ensuring that seabed mining has no home off our coast.

Best,
Larry Hanson
Board President
California River Watch and Forest Unlimited



PO Box 506 • Forestville CA 95436 • 707.664.7060

Lunetta, Kim@SLC

From: Nick Buro <Nick@rodriguezstrategies.com>
Sent: Tuesday, December 15, 2020 12:02 PM
To: CSLC CommissionMeetings
Subject: Seabed Mining Opinion Piece
Attachments: Times of San Diego op-ed.pdf

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

Dear Commissioners and Staff –

I wanted to share the attached opinion piece published in the Times of San Diego regarding the prohibition of seabed mining, authored by Bob Kurz who serves on the state board of Coastal Conservation Association California and is also a trustee for the International Game Fish Association. Hopefully you find this helpful in the development of your 2021-2025 strategic planning and thank you for your work.

<https://timesofsandiego.com/opinion/2020/12/07/california-should-prohibit-seabed-mining-to-protect-fisheries-and-communities/>

Best,
Nick

Nick Buro | Vice President
[Rodriguez Strategies](#)
Nick@rodriguezstrategies.com



TIMES

of SAN DIEGO

Opinion: California Should Prohibit Seabed Mining to Protect Fisheries and Communities

December 7, 2020

By: Bob Kurz

Growing demand for gold, platinum, phosphorous and other valuable minerals found off our coast may someday lead mining companies to bring destructive extractive machinery to California's nearshore seafloor. The result could be widespread damage to the kelp forests, rocky reefs, coral gardens and other areas that nurture fish and wildlife and sustain the recreational and commercial fisheries vital to our coastal economy.

The California State Lands Commission should proactively address this threat by implementing a precautionary ban on seabed mining for hard minerals in state waters.

As a lifelong sport fisherman, I know how important it is for the state to set catch limits, regulate the type of gear that is used to catch various species, establish fishing seasons and protect the areas that nurture marine life. This robust management system is supported by decades of scientific study of fish populations and sustainable catch rates.

However, California has comparatively few rules or specific standards governing seabed mining. Companies can apply for exploration and mining leases in many areas along our coast. Each application is considered on a case-by-case basis. Yet, there is little science on which to base accurate predictions of the effects mining would have on the sensitive and economically important area that extends from the shoreline three miles out into the ocean.

The science that is available paints a dire picture. Based on a steadily growing body of evidence, scientists are sounding the alarm about the damage seabed mining could inflict. In a recent op-ed in *Popular Science*, for example, researchers from the University of Hawaii warned of widespread pollution, including the release of heavy metals, as a consequence of dredging and digging up the seafloor.

And a study by the Royal Swedish Academy of Sciences estimated that some mining operations would discharge 2 million cubic feet of waste sediment each day, some of which would be laced

with lead and mercury. The pollutants would likely be widely dispersed to other undersea areas, according to a story in The Atlantic.

That might not be the worst of it. Researchers are also concerned about how little we know about the short-term and long-term effects of seabed mining.

With all of this in mind, California should prohibit new seabed mining operations until we have a better understanding of its environmental consequences. Oregon has taken the lead by prohibiting mining for hard minerals in state waters nearly 30 years ago. California needs to follow the lead of its northern neighbor.

Join me in encouraging the California State Lands Commission to close state waters to seabed mining until we have a complete understanding of the risks and a comprehensive approach for protecting our fisheries, wildlife and communities from the damage that unplanned seabed mining industry could deliver

Bob Kurz serves on the state board of Coastal Conservation Association California and is also a trustee for the International Game Fish Association.



The mission of OC Habitats™ (OCH) is to provide a public service for the many habitats of Orange County, California through conservation efforts, rehabilitation, restoration, education, outreach, volunteerism, monitoring, and partnering with other entities whose goal is to promote the preservation, conservation, and restoration of natural habitats and the species therein.

December 14, 2020

Ms. Betty Yee, State Controller and Chair California State Lands Commission
100 Howe Ave., Suite 100S
Sacramento, CA 95825

RE: Include Seabed Mining Prohibition in 2021-2025 Strategies Plan

Dear Ms. Yee and Members of the Commission,

Thank you for taking the time to read this letter and consider our concerns regarding seabed mining – the Commission does important work and we applaud your efforts. My name is Stacey Chartier-Grable and I serve on the Board of OC Habitats. I'm writing today to urge the Commission to quickly and strongly address the pressing issue of seabed mining in its 2021-2025 strategic planning. Seabed mining presents an existential threat to our coastal and marine habitats and, if not properly addressed, has the potential to cause irreparable harm to California's entire ecosystem – marine and terrestrial.

OC Habitats (OCH) was founded in July 2017 and is based on the clear need for more habitat protection throughout the county. OCH has partnered with various nonprofit and government agencies, such as Bolsa Chica Conservancy, Sea and Sage Audubon, USFWS, California Coastal Commission and California State Parks, to support the furtherance of these protections. We monitor habitats, collect data, and share this data with key players in habitat protection to ensure healthy and viable habitat and species populations for years to come. An equally important goal of OCH is education and outreach. We believe that knowledge is power and the more individuals we can empower the better off our environment will be. We have helped restore wetlands in Huntington and Newport Beaches and coastal sage scrub and chaparral in Tustin and Orange. We strive to make world better one person and event at a time.

Seabed mining is an obvious threat to the well-being and future health of our coastline and the marine life that relies on healthy ecosystems. California leads the Country and the world in so many areas, which why our state needs to be proactive by creating strong and enforceable prohibitions to prevent the inevitable use of this technology. Mining the ocean floor for the purposes of mineral and resource extraction is detrimental to the health of our local and global ecosystems and should not be considered a viable option for California. We, as a people, need to make a clear statement that this technology will not be tolerated or allowed in the state. We ask that the commission please develop policies and regulations around seabed mining that prohibit future potential, or create incredibly high barriers to entry as to dissuade companies from considering mining in the first place.

Thank you for your time and leadership on this issue.

Sincerely,

Stacey Chartier-Grable

och@ochabitats.org

949.697.8651





December 12, 2020

Mailing:
PO Box 4259
Arcata, CA 95518

Physical:
415 I Street
Arcata, CA 95521

(707) 822-6918
nec@yournec.org
www.yournec.org

Board of Directors
California Native Plant Society
Joan Tippetts

EPIC
Tom Wheeler

Friends of the Eel River
Alicia Hamann

Humboldt Baykeeper
Jennifer Kalt, Secretary

Redwood Region Audubon Society
C.J. Ralph

Safe Alternatives for our Forest Environment
Larry Glass, Board President

Sierra Club North Group, Redwood Chapter
Gregg Gold

At-Large
Chris Beresford, Treasurer
Margaret Gainer, Vice-President
Aisha Cissna
Dan Sealy

Staff
Executive Director
Larry Glass
Administrative & Development Director
Carrie Tully
Administrative Assistant & Outreach Coordinator
Chelsea Pulliam
Coastal Programs Coordinator
Casey Cruikshank
EcoNews Journalist
Caroline Griffith
Office & Event Support
Brittany Kleinschnitz

Dear Commissioners and Staff,

My name is Larry Glass, the Executive Director and Board President for the Northcoast Environmental Center (NEC) in Arcata California. The mission of NEC is to promote understanding of the relations between people and the biosphere and to conserve, protect, and celebrate terrestrial, aquatic, and marine ecosystems of northern California and southern Oregon. In that vein, we are particularly invested in shaping the outcome of efforts to reform California's seabed mining policy, efforts we hope the Commission will foster.

As you know, the NEC and other Pacific Coast NGOs provided public comments at two separate State Lands Commission meetings with a request to prioritize review and reform of seabed mining regulations in the new strategic plan under Commission development. It is our hope that this will be the first step in establishing policies and regulations to prohibit seabed mining off California's coast. The practice of seabed mining would cause irreparable harm to the state's coastal habitat and marine life.

We are somewhat concerned by the lack of feedback from the Commission to date regarding our requests to include seabed mining in the new strategic plan. For instance, while we greatly appreciate the time and attention the Commission has given to strategic plan scoping, the warm welcome we and others have received at your virtual meetings, and the acknowledgements of our input, we have noted that the substantial volume of public comment on this issue has been absent from Commission meeting summaries. We are very interested to hear if and how the Commission plans to address seabed mining regulations in future prioritization planning and we would truly appreciate feedback on future plans to protect the California coastline and marine habitats that play a vital role in the health of our entire population.

Thank you for your commitment and work on the Commission. I look forward to hearing from you.

Sincerely,

Larry Glass
Executive Director & Board President

The NEC is a 501 (c)(3) public charity. Our tax ID number is 23-7122386. No goods or services were provided in exchange for this contribution. Please keep this written acknowledgment of your donation for your tax records.

Lunetta, Kim@SLC

From: Lucchesi, Jennifer@SLC
Sent: Wednesday, December 16, 2020 12:06 PM
To: Lunetta, Kim@SLC
Subject: FW: CSLC Commission Meeting: 2021-2025 Strategic Plan Draft Update

Comment for Item 60.

From: Sam Cohen <scohen@santaynezchumash.org>
Sent: Wednesday, December 16, 2020 11:08 AM
To: Robinson-Filipp, Katie@SLC <Katie.Robinson-Filipp@slc.ca.gov>
Cc: Mattox, Jennifer@SLC <Jennifer.Mattox@slc.ca.gov>; Connor, Colin@SLC <Colin.Connor@slc.ca.gov>; Lucchesi, Jennifer@SLC <Jennifer.Lucchesi@slc.ca.gov>; Nakia Zavalla <NZavalla@santaynezchumash.org>; Kelsie Merrick <kmerrick@santaynezchumash.org>; Teresa Romero <tromero@santaynezchumash.org>; Sam Cohen <scohen@santaynezchumash.org>
Subject: RE: CSLC Commission Meeting: 2021-2025 Strategic Plan Draft Update

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

Not sure if Santa Ynez Chumash commented previously; but please thanks the SLC for an excellent Tribal Section in the 2021-2025 Strategic Plan.

Sincerely,
Sam Cohen
Santa Ynez Chumash
[REDACTED]

From: Robinson-Filipp, Katie@SLC <Katie.Robinson-Filipp@slc.ca.gov>
Sent: Wednesday, December 16, 2020 10:26 AM
To: Robinson-Filipp, Katie@SLC <Katie.Robinson-Filipp@slc.ca.gov>
Cc: Mattox, Jennifer@SLC <Jennifer.Mattox@slc.ca.gov>; Connor, Colin@SLC <Colin.Connor@slc.ca.gov>; Lucchesi, Jennifer@SLC <Jennifer.Lucchesi@slc.ca.gov>
Subject: CSLC Commission Meeting: 2021-2025 Strategic Plan Draft Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Valued Tribal Partner,

Thank you again for participating in the development of the Commission's 2021-2025 Strategic Plan. The Strategic Plan is an aspirational and forward-looking document and we greatly appreciate your participation and input to inform its development. We are excited to release a draft for review for public review and comment. You may access the document [HERE](#).

During our **December 17, 2020 Commission Meeting at 10:00 a.m.**, Stantec, our consultant, will present an informational update on the draft 2021-2025 Strategic Plan. Information about this

meeting is available [HERE](#). Additionally, the Staff Report about the draft 2021-2025 Strategic Plan can be found at this link [HERE](#).

We hope this draft document accurately reflects the input many of you provided in our previous outreach roundtables and Consultation meetings, but we recognize you may have additional comments, corrections, and suggestions now that there is a draft plan to review. Your perspectives and feedback are important to the development of the Commission's Strategic Plan and we welcome additional written feedback, or if you prefer, a coordination or Consultation meeting. You may submit comment on the draft 2021-2025 Strategic Plan by phone at (916) 574-1800 or by email at StrategicPlan@slc.ca.gov by **January 31, 2021**. Please do not hesitate to reach out if you have any questions or would like to schedule a meeting to discuss your comments.

Thank you,

The Strategic Planning Team



Katie Robinson-Filipp (She/Her)
Environmental Scientist, Executive Office
CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South | Sacramento | CA 95825
Phone: 916-574-0974 | Email: katie.robinson-filipp@slc.ca.gov



October 22, 2020 (updated on December 16, 2020)

Betty Yee, Chair
Eleni Kounalakis, Member
Keely Bosler, Member
California State Lands Commission
100 Howe Ave., Suite 100S
Sacramento, CA 95825

RE: 2021-2025 Commission Strategic Plan – Seabed mining

Dear Chair Yee and Members Kounalakis and Bosler,

On behalf of the undersigned environmental protection and conservation organizations, we are writing to request that the California State Lands Commission (Commission) prioritize a proactive revision of Commission policies, regulations, and leasing programs to prevent the development of seabed mining for hard minerals on or under California submerged lands. We request that this priority be included in the Commission’s 2021-2025 Strategic Plan, currently under development.

Natural resource managers in California are already struggling to balance a wide and growing array of competing demands on the nearshore ocean, ranging from traditional industries like fisheries and tourism to newer uses such as renewable energy and aquaculture. At the same time, the marine ecosystem is increasingly stressed by anthropogenic changes, especially those tied to a warming climate. In this context, it is critical to protect and preserve as much intact seafloor habitat and biodiversity as possible. Maintaining these foundational components of the ecosystem will increase ocean resilience in the face of these unprecedented pressures and changes. “Do no more harm” is one of the most important strategies we can implement to steward our ocean resources and protect our coastal communities.

And the ecological harm caused by seabed mining would be severe. From a global perspective, increasing demand, decreasing terrestrial availability, technological advances, and proposals for prospecting or extraction all are all pointing to the emergence of a marine mining industry in coming years and have spurred a burst of scientific inquiry into the environmental impacts of

this new activity. This growing body of evidence is clear that seabed mining would be an extremely risky proposition, with profound and in many cases irreversible effects including physical disturbance of the seabed, removal of biota, and loss of biodiversity. New research even highlights the fact that mining impacts like sediment plumes and noise will be felt far above the seafloor in the midwater ecosystem, and that current scientific knowledge is insufficient to understand and manage those impacts.

These ecological impacts will reverberate in California's coastal communities and economies as negative social and economic impacts to stakeholders that depend on existing ocean uses like fishing and tourism. To protect these industries and ocean economies, as well as other water-dependent societal uses, government agencies with jurisdiction over marine resources should aggressively identify and address emerging and future threats, including activities that might harm sensitive seafloor and midwater habitats that provide critical ecosystem functions and services.

Historically, indigenous peoples also continue to protect their offshore sacred sites which can potentially be damaged by seabed mineral mining. Oral history and cultural practitioners from tribal nations along the coast of what is now California must protect their ancient villages, ancient burial sites, and ancient living places that are now submerged by the rising sea tides. In addition, non-human relatives such as plant and animal species that live in the ocean can be damaged and adversely affected by seabed mining. Indigenous coastal protectors have already seen the devastating effects of seismic testing on whales and porpoises (dolphins), activities that might happen in the development and search for seabed minerals.

Given its importance to California's existing ocean economies and stakeholders, the three-mile wide nearshore area regulated by the state is a highly sensitive area that is incompatible with a high impact activity like seafloor mining. For this reason, the current regulatory regime of lease applications on a case-by-case basis merits reconsideration and the preclusion of hard mineral mining on submerged lands would be a more proactive and durable solution to this emerging threat. Therefore, we again urge you to consider a prohibition on seabed mining for hard minerals, including but not limited to phosphorite, metals, and metal-enriched sands, on or under California Submerged Lands, and request that the Strategic Plan update prioritize this proactive reform. We appreciate the opportunity to engage with the Commission and look forward to continued collaboration as you develop the new Strategic Plan.

Sincerely,

Mark Singleton
Executive Director
American Whitewater

Susan Jordan
Executive Director
California Coastal Protection Network

V. John White
Executive Director
Center for Energy Efficiency and Renewable
Technologies (CEERT)

Andria Ventura
Legislative and Policy Director
Clean Water Action

State Lands Commission
October 22, 2020 (*updated December 16, 2020*)
Page 3 of 3

Pamela Flick
California Program Director
Defenders of Wildlife

Dan Jacobson
State Director
Environment California

Linda Krop
Chief Counsel
Environmental Defense Center

Bill Allayaud
California Director of Government Affairs
Environmental Working Group

Irene Gutierrez
Senior Attorney
Natural Resources Defense Council

Angela Mooney D'Arcy
Executive Director
Sacred Places Institute for Indigenous Peoples

Robert Gould, MD
President
San Francisco Bay Physicians for Social Responsibility

Jennifer Savage
California Policy Manager
Surfrider Foundation

Dr. Elizabeth Dougherty
Executive Director
Wholly H2O