

VIDEOCONFERENCE MEETING

STATE OF CALIFORNIA

LANDS COMMISSION

ZOOM PLATFORM

TUESDAY, FEBRUARY 23, 2021

1:01 P.M.

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

APPEARANCES

COMMISSION MEMBERS:

Eleni Kounalakis, Lieutenant Governor, Chairperson

Betty T. Yee, State Controller

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

STAFF:

Jennifer Lucchesi, Executive Officer

Colin Connor, Assistant Executive Officer

Seth Blackmon, Chief Counsel

Afifa Awan, Senior Environmental Scientist, Division of  
Environmental Planning and Management

Al Franzoia, Public Land Management Specialist, Land  
Management Division

Eric Gillies, Assistant Chief, Environmental Planning and  
Management Division

Grace Kato, Assistant Chief, Land Management Division

Sheri Pemberton, Chief, External Affairs and Legislative  
Liaison

Katie Robinson-Filipp, Environmental Scientist

ATTORNEY GENERAL:

Andrew Vogel, Deputy Attorney General

ALSO PRESENT:

Ken Bates, Humboldt Fishermen's Marketing Association

Lisa Beutler, Stantec

APPEARANCES CONTINUED

ALSO PRESENT:

Sabrina Brennan, Surf Equity & Sport Equity, Committee for Equity in Women's Surfing

Peter Bogdan

George Bradshaw, Crescent City Commercial Fishermen's Association

Chris Brungardt, RTI Infrastructure, Inc.

Tony Cannia

Mike Conroy, The Pacific Coast Federation of Fishermen's Association

Susanne Cumming, Sierra Club, Defend Ballona Wetlands

Ryan Davis, America's Greencore

Jason Giffen, Port of San Diego

Craig Goucher, Trinidad Bay Fishermen's Marketing Association

Noel Hacegaba, Port of Long Beach

Marcia Hanscom, Ballona Wetlands Institute

David Helliwell, Humboldt Fishermen's Marketing Association

Pam Kershaw, Port of Oakland

Christina Ku

Peter Leipzig, North Coast Fishermen's Cable Committee

David Libatique, Port of Los Angeles

Alison Madden

Scott Maloni, Poseidon Water

Patricia Miller

APPEARANCES CONTINUED

ALSO PRESENT:

Jake Mitchell, Shelter Cove Fishing Preservation,  
Incorporated

Randy Quezada, Port of San Francisco

Tom Rudolph, Pew Charitable Trusts

Jennifer Savage, Surfrider Foundation

Avin Sharma, Port of Los Angeles

Dan Slanker

Joe Stuyvesant, Port of San Diego

Robert van de Hoek

Danny Wan, Port of Oakland

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I	1:00 PM - Open Session	1
II	Public Comment	5
	Public comments will be heard at 1:00 pm for items not on the agenda, for no more than 30 minutes. At the discretion of the Chair, speakers will be given up to 3 minutes. For those unable to attend the early public comment period, there may be additional comment time available later in the day. Note: Comments made during the general public comment period regarding matters pending before the Commission do not become part of the official record for those matters.	
III	Confirmation of Minutes for the December 17, 2020 meeting	33
IV	Executive Officer's Report	34
	Continuation of Rent Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:	
	- No Items	
	Tomales Bay Assignment Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:	
	- No Items	
V	Consent Calendar 01-40	42
	The following items are considered to be noncontroversial and are subject to change at any time up to the date of the meeting.	
	Land Management	
	Northern Region	
01	JOHN BROCKWAY METCALF (LESSEE); JOHN BROCKWAY METCALF AND ELIZABETH SCOTT METCALF (APPLICANT): Consider acceptance of a lease quitclaim deed and	

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- application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 9031 Lupine Lane, near South Lake Tahoe, El Dorado County; for an existing pier and two mooring buoys previously authorized by the Commission and one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 9324; A2347; RA# 2019126) (A 5; S 1) (Staff: J. Toy)
- 02 CALIFORNIA DEPARTMENT OF TRANSPORTATION (APPLICANT): Consider termination of Public Agency Lease No. PRC 7896 and Right-of-Way Map and issuance of a Public Agency Permit and Right-of-Way Map pursuant to Section 101.5 of the Streets and Highway Code and Section 6210.3 of the Public Resources Code, on sovereign land in the Smith River, along U.S. Route 101, near Crescent City, Del Norte County; for temporary construction right-of-ways and the replacement of the existing Dr. Fine Bridge and a right-of-way for the use and maintenance for the new bridge. CEQA Consideration: Environmental Impact Report, certified by the California Department of Transportation, State Clearinghouse No. 2010102037, and adoption of a Mitigation Monitoring Program and Statement of Findings. (Permit 7896; A2672; RA# 2020007) (A 2; S 2) (Staff: J. Toy)
- 03 DRUM LODGE LLC, A DELAWARE LIMITED LIABILITY COMPANY (LESSEE): Consider amendment to Lease 4266, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7701 State Highway 89, near Meeks Bay, El Dorado County; for use and maintenance of one mooring buoy not previously authorized by the Commission; removal of an existing pier; and construction of a pier, catwalk, and ramp. CEQA Consideration: categorical exemption. (P4266; A2806; RA# 2020071) (A 5; S 1) (Staff: S. Avila)
- 04 MONICA FLANNIGAN AND ZACHARY SACHEN (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8730 Brockway Vista Avenue, Kings Beach, Placer County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2842; RA#

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- 2020082) (A 1; S 1) (Staff: L. Anderson)
- 05 RICHARD AND SHEILA HICKMAN (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7372 North Lake Boulevard, Tahoe Vista, Placer County; for two mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W27121; RA# R30616) (A 1; S 1) (Staff: L. Anderson)
- 06 GARY CLAUS JOHNSON AND TERRILYNN KAY JOHNSON, TRUSTEES OF THE JOHNSON FAMILY TRUST DATED MAY 20, 1998 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6924 Pomin Avenue, near Tahoma, Placer County; for reconstruction and expansion of an existing pier, installation of an adjustable catwalk and boat lift; removal of a boat hoist and one existing mooring buoy; and relocation of four boulders. CEQA Consideration: categorical exemptions. (Lease 5579; A2687; RA# 2019350) (A1; S1) (Staff: M.J. Columbus)
- 07 JOE MASSOLO AND SONS TRUCKING COMPANY, INC., A CALIFORNIA CORPORATION (LESSEE/APPLICANT): Consider acceptance of a lease quitclaim deed and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8751 Rubicon Drive, near Rubicon Bay, El Dorado County; for an existing pier, boathouse, and two mooring buoys previously authorized by the Commission and one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 4063; A2348; RA# 2019125) (A 5; S 1) (Staff: J. Toy)
- 08 BRIAN J. METTLER, THROUGH DEBRA SUZANNE METTLER AS HIS HEIR (ASSIGNOR); WILLIS K. POLITE JR., TRUSTEE OF THE WILLIS K. POLITE JR. TRUST DATED APRIL 18, 2014 (ASSIGNEE): Consider assignment of a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1600 and 1620 North Lake Boulevard, Tahoe City, Placer County; for an existing joint-use pier, two boat lifts, and three existing mooring buoys. CEQA Consideration: not a project. (PRC 5561; A2786; RA# 2020058) (A 1; S 1) (Staff: M.J. Columbus)

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- 09 GRABLE B. RONNING (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 105 Chipmunk Street, Kings Beach, Placer County; for one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2731; RA# 2020070) (A 1; S 1) (Staff: S. Avila)
- 10 RTI INFRASTRUCTURE, INC. (APPLICANT): Consider adoption of a Mitigated Negative Declaration, State Clearinghouse No. 2020120205, and adoption of a Mitigation Monitoring Program, and consider application for a General Lease - Right-of-Way Use of sovereign land in the Pacific Ocean, near Samoa, Humboldt County, for the RTI Infrastructure Inc. Eureka Subsea Fiber Optic Cables Project. (W27218; RA# 13118) (A 2; S 2) (Staff: A. Franzoia) 140
- 11 KAREN STONE MCCOWN, TRUSTEE OF THE KAREN STONE MCCOWN REVOCABLE TRUST AGREEMENT DATED MAY 11, 1990, AMENDED AND RESTATED AUGUST 13, 2003 (LESSEE); NADER PANAH-IZADI AND BRIGITTE PANAH-IZADI (APPLICANT): Consider waiver of rent, penalty, and interest; termination of Lease No. PRC 7277, a General Lease - Recreational Use, and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 255 Drum Road, near Meeks Bay, El Dorado County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (Lease 9070; A2244) (A 5; S 1) (Staff: J. Toy)
- 12 SUTTER BUTTE FLOOD CONTROL AGENCY (APPLICANT): Consider application for a General Lease - Dredging Use, of sovereign land located in the Feather River, adjacent to 1100 Pennington Road, near Live Oak, Sutter County. CEQA Consideration: Mitigated Negative Declaration, adopted by the Sutter Butte Flood Control Agency, State Clearinghouse No. 2020100322, and adoption of a Mitigation Monitoring Program. (A2702; RA# 2020010) (A 3; S 4) (Staff: M.J. Columbus)



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- 13 THE LAKE TAHOE LAKEHOUSE LLC (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2780 Lake Terrace, Tahoe City, Placer County; for two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8312; A2628; RA# 2019311) (A 1; S 1) (Staff: L. Anderson)
- 14 THE WOODROW A. HAHN AND CHARLOTTE M. HAHN LIVING TRUST DATED JUNE 7, 1977, CHARLENE R. DOYLE AND BEVERLY J. GARTON, CO-TRUSTEES (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3165 West Lake Boulevard, near Homewood, Placer County; for one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2767; RA# 2020048) (A 1; S 1) (Staff: L. Anderson)
- 15 CAROLYN WALKER SHAW, TRUSTEE OF THE TRUST FOR THE BENEFIT OF JORDAN KINDY SHAW AND JAMES WALKER SHAW CREATED IN THE JEAN WALKER LOWELL PERSONAL RESIDENCE TRUST DATED AUGUST 16, 2006 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent 4060 North Lake Blvd., Carnelian Bay, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 6367; A2728; RA# 2020024) (A 1; S 1) (Staff: L. Anderson)
- 16 TONY WEIR INDUSTRIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 242 Four Ring Road, near Rubicon Bay, El Dorado County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2747; RA# 2020041) (A 5; S 1) (Staff: J. Toy)

Bay/Delta Region

- 17 BNSF RAILWAY COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in the Tuolumne River, adjacent to Santa Fe Avenue, near Empire, Stanislaus County; for an existing bridge. CEQA Consideration: categorical

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- exemption. (Lease 7767; A2678; RA# 2020019) (A 21; S 8) (Staff: M. Schroeder)
- 18 CITY OF SACRAMENTO (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the American River, adjacent to Howe Avenue, Sacramento, Sacramento County; for an existing bridge. CEQA Consideration: categorical exemption. (Lease 3927; A2694; RA# 2020030) (A 7; S 6) (Staff: M. Schroeder)
- 19 CITY OF STOCKTON (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the San Joaquin River, Stockton, San Joaquin County; for an existing wastewater pipeline. CEQA Consideration: categorical exemption. (Lease 2108, A2631; RA#2020012) (A 13; S 5) (Staff: J. Holt)
- 20 DELTA YACHT CLUB, INC., A CALIFORNIA DOMESTIC NONPROFIT CORPORATION (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the San Joaquin River, adjacent to Assessor's Parcel Number 129-120-010, at Tule Island, near Stockton, San Joaquin County; for an existing boat dock, gangway, and bank protection previously authorized by the Commission, and electric and water utility outlets not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 3930; A2709; RA#2020013) (A 13; S 5) (Staff: G. Asimakopoulos)
- 21 PATRICIA R. ENOS, RON J. ENOS, AND STACY A. BENSON, CO-TRUSTEES OF THE ENOS FAMILY TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Georgiana Slough, adjacent to 14810 Andrus Island Road, near Walnut Grove, Sacramento County; for an existing boat dock, ramp, and two pilings previously authorized by the Commission and two existing unattached pilings not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 8906; A2860; RA# 2020106) (A 11; S 3) (Staff: J. Holt)

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- 22 WOLFGANG R. FRICKE (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 37600 South River Road, near Clarksburg, Yolo County; for an existing boat dock and appurtenant facilities previously authorized by the Commission and existing bank protection not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 7462; A2751; RA# 2020062) (A 4; S 3) (Staff: J. Holt)
- 23 JAMES GRIMES AND KIM GRIMES, CO-TRUSTEES UNDER THE GRIMES LIVING TRUST DATED JULY 8, 2014 (AS RESTATED ON AUGUST 21, 2015) (LESSEE); BRANDON A. CASTILLO AND MONICA L. CASTILLO, AS TRUSTEES OF THE CASTILLO FAMILY TRUST DATED APRIL 20, 2018 (APPLICANT): Consider termination of Lease No. PRC 5124, a General Lease - Recreational and Protective Structure Use; and an application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 3445 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, ramp, piling, one 2-pile dolphin, and bank protection previously authorized by the Commission and an existing personal watercraft float not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 5124; A2643; RA# 2020014) (A 7; S 6) (Staff: J. Holt)
- 24 KEITH HOBERT AND LAURIE HOBERT (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 17404 Grand Island Road, near Walnut Grove, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 4761; A2757; RA# 2020053) (A 11; S 3) (Staff: D. Tutov)
- 25 JERRY W. MADDERN, TRUSTEE OF THE JERRY W. MADDERN 2017 TRUST, DATED SEPTEMBER 26, 2017 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Georgiana Slough, adjacent to 17151 Terminous Road, near Isleton, Sacramento County; for an existing boat dock with slip and enclosed boathouse with boat lift,

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- appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 5273; A2802; RA# 2020067) (A 11; S 3) (Staff: J. Holt)
- 26 ANDREW MAJIT AND ANSLEY MAJIT (LESSEE); ADAM WILLNER, TRUSTEE AND MARTA BENSON, TRUSTEE OF THE WILLNER-BENSON FAMILY TRUST (APPLICANT): Consider termination of Lease No. PRC 9488, a General Lease - Recreational Use; rescission of authorization to amend lease and agree and consent to encumber the lease; and an application for a General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 35 Boardwalk One, near Larkspur, Marin County; for a dock and portion of an existing deck. CEQA Consideration: categorical exemption. (Lease 9488; A2828; RA# 2020076) (A 10; S 2) (Staff: V. Caldwell)
- 27 DONNA OBERT BLOWER (LESSEE); CAROL JANE DUNN AND ALEXANDER BENTON PAKTER, TRUSTEES OF THE ALEXANDER BENTON PAKTER AND CAROL JANE DUNN LIVING TRUST, DATED JUNE 21, 2018 (APPLICANT): Consider termination of Lease PRC 5780, a General Lease - Recreational and Protective Structure Use, and an application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Georgiana Slough, adjacent to 15433 Andrus Island Road, near Isleton, Sacramento County; for an existing boat dock, deck, appurtenant facilities, two speed buoys, and bank protection. CEQA Consideration: categorical exemption. (Lease 5780; A2710; RA# 2020025) (A 11; S 3) (Staff: J. Holt)
- 28 DAVID R. PECK, TRUSTEE OF THE DAVID R. PECK TRUST (ASSIGNOR); RUTH A. RODGERS AND MICHAEL B. MACQUARRIE (ASSIGNEE): Consider an assignment and amendment and authorization of an Agreement and Consent to Encumbrance of Lease No. 9472, a General Lease - Recreational and Residential Use, of sovereign land located in Corte Madera Creek, adjacent to 30 Lucky Drive, near Greenbrae, Marin County; for portion of an existing residence with walkway, dock, ramp, boat lift, and float. CEQA Consideration: categorical exemption. (Lease 9472; A2703; RA# 2020008) (A 10; S 2) (Staff: D. Tutov)

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- 29 UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Sacramento River, adjacent to Assessor's Parcel Number 158-0050-001, near Emmaton, Sacramento County; and in the Mokelumne River, adjacent to Assessor's Parcel Number 069-020-190, near Staten Island, San Joaquin County; for two existing water-quality monitoring recorder stations. CEQA Consideration: categorical exemption. (Lease 3717; RA# 2019181) (A 11, 13; S 3, 5) (Staff: G. Asimakopoulos)
- 30 U.S. DEPARTMENT OF TRANSPORTATION, MARITIME ADMINISTRATION (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Suisun Bay, adjacent to 2595 Lake Herman Road, near Benicia, Solano County; for an existing pier with finger piers, administration barge, and General Anchorage 26. CEQA Consideration: categorical exemption. (Lease 7838; A2551; RA# 2019324) (A 14; S 3) (Staff: M. Schroeder)

Central/Southern Region

- 31 CITY OF FIREBAUGH (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the San Joaquin River, Firebaugh, Fresno County; for existing bank protection previously authorized by the Commission, and two stormwater pipelines not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 8861; A2872; RA# 2020115) (A 31; S 12) (Staff: K. Connor)
- 32 DEBORAH DIBENEDETTO, TRUSTEE OF THE DEBORAH DIBENEDETTO TRUST, DATED MAY 3, 2007 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16562 Somerset Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: categorical exemption. (Lease 3246; A2411; RA# 2019228) (A 72; S 34) (Staff: L. Pino)

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- 33 DAVIS HUNTER DOTY AND DANIELLE MARIE DOTY; DAVID HUNTER DOTY AND ANNGRETE DOTY; BRADLEY OLSON AND GENEVIEVE OLSON (APPLICANT): Consider termination of Lease No. PRC 9281.9, a General Lease - Protective Structure Use, and application for a General Lease - Recreational and Protective Structure Use of sovereign land located in the Colorado River adjacent to 1207 Beach Drive, Needles, San Bernardino County; for existing riprap bankline protection, and the installation of a floating boat dock, walkway, access ramp, and stairway. CEQA Consideration: categorical exemption. (Lease 9281; A2839; RA#2020108) (A 33; S 16) (Staff: L. Pino)
- 34 APOLLA FARTHING, ART ACOSTA, AND MICHELLE ACOSTA (LESSEE); WILLIAM ARMSTRONG AND AMANDA ARMSTRONG, TRUSTEES OF THE WILLIAM AND AMANDA ARMSTRONG REVOCABLE TRUST DATED JULY 13, 2020 (APPLICANT): Consider termination of Lease No. PRC 9136 and issuance of a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1150 Beach Drive, Needles, San Bernardino County; for two planter areas with rock and concrete block retaining walls and electrical and irrigation appurtenances, concrete stairs, concrete patio, riprap bankline, an aluminum stairway and gangway with railing, and a floating boat dock. CEQA Consideration: categorical exemption. (Lease 9136; A2761; RA#2020060) (A 33; S 16) (Staff: L. Pino)
- 35 REGENTS OF THE UNIVERSITY OF MICHIGAN (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the dry lakebed of Owens Lake, Inyo County; for two monitoring towers, a data collection and transmission box, and a solar power collection station. CEQA Consideration: categorical exemption. (Lease 9031; RA# 2020125) (A 34; S 17) (Staff: D. Simpkin)
- 36 ALAN ZIMMER AND DIANA ZIMMER (ASSIGNOR); SOTW GROUP LLC (ASSIGNEE): Consider assignment of Lease No. PRC 9503.1, a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1240 Beach Drive, Needles, San Bernardino County; for an existing concrete stairway with rock retaining wall, raised planter area

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with concrete retaining wall, and riprap bankline protection. CEQA Consideration: not a project. (PRC 9503; A2854; RA# 2020095) (A 33; S 16) (Staff: L. Pino)

School Lands - No Items

Mineral Resources Management

37 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider approval of qualifying miles for Fiscal Year 2020-2021 subventions to the Cities of Huntington Beach and Seal Beach, located in Orange County; and to the City of Long Beach, located in Los Angeles County. CEQA Consideration: not a project. (W 4848.1, W 4848.4, W 4848.8) (A 70, 72, 74; S 33, 34, 37) (Staff: N. Heda, R. Wurster)

38 ROBERT G. WETZEL (APPLICANT): Consider application for an extension of a prospecting permit for precious metals other than oil, gas, geothermal, sand, and gravel, Assessor's Parcel Number 0570-051-24, State Parcel Number 202-017, located within Section 16, Township 15 North, Range 10 East, SBBM, approximately 3 miles northwest of Interstate 15 Halloran Springs Exit, San Bernardino County. CEQA Consideration: Environmental Assessment and Finding of No Significant Impacts. (Permit 9305; A2852; RA# 2020098) (A 33; S 16) (Staff: R. Lee)

Marine Environmental Protection - No Items

Administration - No Items

Legal

39 U.S. NATIONAL PARK SERVICE (APPLICANT): Consider Cession of Concurrent Criminal Legislative Jurisdiction pursuant to California Government Code section 126 over lands adjacent to Yosemite National Park, Mariposa County. CEQA Consideration: not a project. (WO 24484) (A 5; S 8) (Staff: P. Huber)

Kapiloff Land Bank Trust Acquisition/Expenditure -  
No Items

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External Affairs

Granted Lands

- 40 SAN FRANCISCO PORT COMMISSION, CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA STATE LANDS COMMISSION, INDIA BASIN INVESTMENT, LLC (PARTIES): Consider a Title Settlement and Land Exchange Agreement involving parcels located within and adjacent to India Basin and the San Francisco Bay, in the city and county of San Francisco. CEQA Consideration: statutory exemption. (G11-01) (A 17; S 11) (Staff: R. Boggiano, A. Kershen)

VI Informational Calendar - See Regular Calendar

VII Regular Calendar 41-44

- 41 CALIFORNIA STATE LANDS COMMISSION: Report on final year of the Commission's 2016-2020 Strategic Plan and consider adoption of the 2021-2025 Strategic Plan. CEQA Consideration: not a project. (A & S: Statewide) (Staff: J. Lucchesi, C. Connor, B. Stoddard, K. Robinson-Filipp) 44

- 42 CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Presentations by the Ports of San Francisco, Oakland, Los Angeles, Long Beach, and San Diego on their COVID-19 Pandemic response. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: J. Lucchesi, S. Pemberton, R. Boggiano) 76

- 43 CALIFORNIA STATE LANDS COMMISSION: Consider sponsoring legislation in the 2020-21 legislative session that would repeal obsolete school land statutes and recast or modernize other school land statutes. CEQA Consideration: not a project. (A & S: Statewide) (Staff: S. Pemberton) 134



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44 CALIFORNIA STATE LANDS COMMISSION: Discussion and possible action on state legislation relevant to the California State Lands Commission. CEQA Consideration: not a project. (A & S: Statewide) (Staff: S. Pemberton)	139
VIII Public Comment	175
IX Commissioners' Comments	175
X 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:

- 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

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- 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
- In re: Temblor Petroleum Company, LLC, Bankruptcy Chapter 11
- 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.
- Public Watchdogs v. California State Lands Commission
- San Francisco Baykeeper, Inc. v. State Lands Commission
- San Joaquin River Exchange Contractors Water Authority v. State of California; State Lands Commission
- State of California v. International Boundary and Water Commission, et al.
- State Lands Commission v. Plains Pipeline, L.P., et al.
- United States v. Walker River Irrigation District, et al.

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2. The Commission may consider matters that fall under Government Code section 11126, subdivision (e) (2) (b), under which;

- a. A point has been reached where, in the opinion of the Commission, on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the Commission, or
- b. Based on existing facts and circumstances, the Commission is meeting only to decide whether a closed session is authorized because of a significant exposure to litigation against the Commission.

3. The Commission may consider matters that fall under Government Code section 11126, subdivision (e) (2) (C), where, based on existing facts and circumstances, the state body has decided to initiate or is deciding whether to initiate litigation.

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

C. Other matters.

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

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PROCEEDINGS

CHAIRPERSON KOUNALAKIS: I call the meeting of the State Lands Commission to order. I am Lieutenant Governor Eleni Kounalakis. Welcome to our completely virtual State Lands Commission meeting.

Ms. Lucchesi, will you please call the roll of the Commissioners in attendance.

EXECUTIVE OFFICER LUCCHESI: Certainly. Good afternoon.

State Controller and Commissioner, Betty Yee?

COMMISSIONER YEE: Here.

EXECUTIVE OFFICER LUCCHESI: Commissioner and Director of Finance representative, Commissioner Gayle Miller?

ACTING COMMISSIONER MILLER: Here.

EXECUTIVE OFFICER LUCCHESI: And Lieutenant Governor and Chair, Eleni Kounalakis?

CHAIRPERSON KOUNALAKIS: Present.

EXECUTIVE OFFICER LUCCHESI: Madam Chair, we have a quorum present. In addition --

CHAIRPERSON KOUNALAKIS: Thank you.

EXECUTIVE OFFICER LUCCHESI: Oh. In addition, I would like to identify the members of the staff of the Commission and the Attorney General present for this virtual meeting. I am Executive Officer Jennifer

1 Lucchesi. I am here with Chief Counsel Seth Blackmon,  
2 meeting liaison Kim Lunetta, Assistant Executive Officer  
3 Colin Connor, Supervising Deputy Attorney General Andrew  
4 Vogel, and our zoom co-hosts Grace Kato, Katie  
5 Robinson-Filipp, Mike Farinha, and Phil Schlatter.

6 CHAIRPERSON KOUNALAKIS: Thank you, Ms. Lucchesi.

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

17 We recognize that the lands we manage have been  
18 inhabited for thousands of years by California's native  
19 people and take seriously our trust relationship with  
20 these sovereign governments. I want to take a moment to  
21 honor the California Native American communities all  
22 across the state for persisting, carrying on diverse  
23 cultural and linguistic traditions, and sustainably  
24 managing the land that we now share.

25 Native people have maintained a constant presence

1 on the landscape for many thousands of years and they are  
2 essential stewardship partners, whether along the coast,  
3 along our rivers and valleys, or in our fragile deserts.  
4 We thank California Native American communities for  
5 participating in this Commission's activities and for  
6 their essential role in maintaining and adding to our  
7 state's rich cultural legacy.

8           The next item of business will be public comment.  
9 Before I open public comment period for items not on the  
10 agenda, first, let me thank everyone, especially our  
11 stakeholders and members of the public for taking the time  
12 to join a virtual meeting. While these virtual meetings  
13 are becoming more routine, this is still a relatively new  
14 experience for most of us, and we appreciate your support  
15 and patience as we work together on this virtual platform.

16           Now, I want to turn it over to Ms. Lucchesi to  
17 quickly share some instructions on how we can best  
18 participate in this meeting, so that it runs as smoothly  
19 as possible.

20           EXECUTIVE OFFICER LUCCHESI: Thank you, Chair  
21 Kounalakis.

22           First, everyone, please make sure you have your  
23 microphones or phones muted to avoid background noise.  
24 For members of the public, if you would like to speak  
25 either during our pub -- open public comment period or

1 during a public comment period that is part of an agenda  
2 item, you will need to do so in one of two ways. First,  
3 if you are attending on the Zoom platform, please raise  
4 your hand in Zoom. If you are new to Zoom and you joined  
5 our meeting using the Zoom application, click on the hand  
6 icon at the bottom of your screen. When you click on that  
7 hand, it will raise your hand.

8           Second, if you are joining our meeting by phone,  
9 you must press star nine on your keypad to raise your hand  
10 to make a comment. If are you calling in to view the  
11 meeting, including the PowerPoint presentations, please  
12 view the meeting through the CAL-SPAN live webcast link.  
13 There will be a slight time delay, but it will avoid an  
14 echo or feedback from using the Zoom application and your  
15 phone.

16           If you emailed us with a request to speak, please  
17 also raise your hand, so we don't inadvertently miss you.  
18 We will call on individuals who have raised their hands in  
19 the order that they are raised using the name they  
20 registered with or the last three digits of their  
21 identifying phone number.

22           After you are called on, you will be unmuted so  
23 you can share your comments. Please also remember to  
24 unmute your computer or phone and identify yourself.  
25 Remember, you have a limit of three minutes to speak on an

1 item. Please keep your comments respectful and focused.  
2 We will mute anyone who fails to follow those guidelines  
3 or at worst dismiss them from the meeting.

4 Finally, every now and then, you will hear me  
5 refer to the meeting host. Our Commission staff are  
6 acting as hosts for the meeting behind the scenes to  
7 ensure that the technology moves the meeting forward  
8 smoothly and consistently.

9 The Commission has also established an email  
10 address to compile public comments for our meetings. Its  
11 address is [cslc.commissionmeetings@slc.ca.gov](mailto:cslc.commissionmeetings@slc.ca.gov). We have  
12 received various emails from parties that have been shared  
13 with all the Commissioners prior to the meeting.

14 If there are any emails during the meeting, they  
15 will be shared with the Commissioners and be made  
16 available on our website, [www.slc.ca.gov](http://www.slc.ca.gov), along with the  
17 public comment emails we have already received.

18 Chair Kounalakis, that concludes my virtual  
19 meeting instructions. We are ready to move to the general  
20 public comment period.

21 CHAIRPERSON KOUNALAKIS: Thank you, Ms. Lucchesi.

22 Our next order of business is the public comment  
23 period. If anyone would like to address the Commission on  
24 any matter not on today's agenda, please raise your hand  
25 and you will have three minutes to do so.



1           Grace, please call on the first person who would  
2 like to make public comment.

3           LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

4           Thank you, Chair.

5           We have Scott Maloni.

6           MR. MALONI: Good afternoon, Chairwoman  
7 Kounalakis and members of the Commission. Can you hear  
8 me?

9           CHAIRPERSON KOUNALAKIS: Yes.

10          MR. MALONI: Great. My name is Scott Maloni. I  
11 am the Vice President of Poseidon Water and the project  
12 manager for the proposed Huntington Beach seawater  
13 desalination plant. And I just want to take a few minutes  
14 to give you an update on the proposed project.

15          As the Commission is well aware, in 2010, 11  
16 years ago, the State Lands Commission granted us a lease  
17 to construct and operate the seawater intake and outfall  
18 facilities necessary to operate the proposed desalination  
19 facility. At our request in 2017, the Lands Commission  
20 amended the lease to allow us to build modified and  
21 enhanced technology for the intake and discharge that  
22 complies with the State Water Board's new Ocean Plan  
23 amendment and the Lands Commission also certified a  
24 Supplemental Environmental Impact Report.

25          Since 2017, we have worked very closely with

1 State agency staff, including your staff at the Lands  
2 Commission to satisfy a condition of our Water Board  
3 permit that requires us to mitigate for any unavoidable  
4 impacts to marine life.

5 Last year, the Santa Ana Regional Water Quality  
6 Control Board issued a permit and recommended approval.  
7 And after three hearings at the regional board, we were  
8 asked to take our pencil back, and sharpen it, and see if  
9 we can do better on our proposed mitigation package.

10 Last week, the Water Board issued a revised  
11 permit that includes an Enhanced Coastal Habitat  
12 Restoration Plan, as we call it, that nearly doubles the  
13 number of mitigation projects from three to five and  
14 quadruples the amount of acreage from 21 to 84 acres. And  
15 of the five projects, four of them will occur in Bolsa  
16 Chica, which I know is near and dear to the Lands  
17 Commission's heart.

18 So on the screen is an exhibit that I just want  
19 to share with you. The four mitigation projects that will  
20 be a condition of our Water Board permit include a  
21 requirement that Poseidon assume responsibility for the  
22 ocean inlet dredging, which will keep the Bolsa Bay -- 300  
23 plus acre Bolsa Bay flush with nutrient-rich water and  
24 ensure that the restored habitat continues to flourish.  
25 That's one project.

1           The second project is identified as the  
2   intertidal shelf restoration. It's roughly 25 acres that  
3   we will be responsible for restoring. That will include  
4   various different and new habitat. And finally, there's  
5   two projects in the muted tidal basin, a restoration of  
6   two parcels, as well as the design and development of a  
7   water circulating system that will allow the muted tidal  
8   basin to flood and drain with the tides, and therefore  
9   enhance the habitat value.

10           Those four projects are being augmented with a  
11   fifth project outside of Bolsa Chica that is an artificial  
12   reef that was requested by the Coastal Commission staff.

13           Finally, I want to let the staff know that the  
14   permit that came out last year requires us to assume  
15   ownership or operation, I should say, of the ocean inlet  
16   before the operation of the desal plant commences. We  
17   propose to move that date up to 12 months from when we  
18   secure project financing, which means we'll take over that  
19   responsibility at least three or four years earlier than  
20   initially contemplated.

21           So we're excited about this. We expect the  
22   regional board to make a decision on the permit in April.  
23   I just want to thank your staff for all their hard work in  
24   helping us develop this proposal.

25           Thank you.

1 CHAIRPERSON KOUNALAKIS: Thank you.

2 Grace, are there -- is there anyone else who  
3 wishes to comment -- make a comment?

4 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

5 Yes. Thank you.

6 I'd like to call on Jennifer Savage followed --  
7 following Jennifer will be Alison Madden.

8 MS. SAVAGE: Hi. Jennifer Savage, Surfrider  
9 Foundation. Good afternoon, Chair Kounalakis and  
10 Commissioners. Just a quick note, I really appreciate how  
11 well the Commission is running these virtual meetings. I  
12 know it's not easy and you guys are all doing a great job.

13 For my official comments. It is time for  
14 California to take action. Global plastic production is  
15 approaching one million tons per day negatively impacting  
16 our climate beginning with the miss -- beginning with the  
17 extraction of fossil fuels. It also harms our communities  
18 and ecosystems with waste mismanagement resulting in  
19 plastic waste accumulating in our cities, on our beaches,  
20 and resulting in more than eight million tons of plastic  
21 waste winding up in our oceans every year.

22 After two years of attempting to pass a  
23 comprehensive solution to this problem through the State  
24 Legislature, we have put this in the hands of the public  
25 and we're asking for your support. A ballot initiative

1 known as the California Recycling and Plastic Pollution  
2 Reduction Act, sometimes shortened to Plastics Free  
3 California, aims to reduce the impact of plastic pollution  
4 on the State's lands, waters, and communities. The  
5 initiative was approved by the Attorney General's Office  
6 on January 8th last year. And on August 11th of last  
7 year, supporters of the initiative submitted over more  
8 than 870,000 voter signatures to qualify for the ballot.

9 We anticipate an announcement of qualification  
10 coming in the spring for the next general election ballot.  
11 This important measure will source reduce the amount of  
12 single-use plastic packaging and foodware sold in the  
13 state, ensure that what remains is truly reusable,  
14 recyclable, or compostable, and collect funds from plastic  
15 producers to deal with their waste at the end of its  
16 lifecycle.

17 We would invite -- or we do invite the  
18 Commissioners to endorse this important ballot initiative  
19 and support a healthier cleaner California in the years to  
20 come. And happy to provide more information, if you would  
21 like to support this important measure.

22 Thank you.

23 CHAIRPERSON KOUNALAKIS: Grace, will you please  
24 call the next person who would like to address the  
25 Commission.

1 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

2 Yes. Thank you, Chair.

3 The next speaker will be Alison Madden followed  
4 by Patricia Miller.

5 MS. MADDEN: Hi, Grace. I would just like to  
6 comment right now -- can you hear me?

7 The timer isn't going down.

8 CHAIRPERSON KOUNALAKIS: Yes, we can hear you.  
9 Go ahead.

10 MS. MADDEN: Okay. I wasn't sure if I needed to  
11 press the timer. I'd just like to comment that the timer  
12 is taking up the entire screen and it interferes a little  
13 bit with the visual participation, you know, of attendees.  
14 So at the introduction, we could see the whole Commission  
15 and now I can just see a big blue screen with timer. So  
16 it would be nice if that was otherwise.

17 But I would like to say thank you, first of all,  
18 for having public comments first. And I would also like  
19 to thank Jennifer and Kim Lunetta for accepting my email  
20 comment yesterday. I presented a very long email and I  
21 can't read it all. It would consume the entire three  
22 minutes, but it is only of the essential information  
23 pertaining to this issue.

24 And I wanted to report back on the jurisdiction  
25 lawsuit that has been going on in Redwood City pertaining

1 to Docktown. And it was at the superior court through  
2 many rounds of demurrers -- what's called demurrers, and  
3 then it went to the First District Court of Appeal. And  
4 there, the justices held that a very basic and  
5 introductory section of the Public Resources Code, which  
6 is Section 6009.1(c)(13), which states just a very basic  
7 principle -- a general principle of fiduciary agency law,  
8 which is that if the entity that has jurisdiction under a  
9 grant is going to subcontract any part of their fiduciary  
10 oversight of the grant, they need to -- they need to  
11 maintain oversight and control.

12 And the -- I don't think that this is a position  
13 that the AG or the SLC took, and that's why we're here  
14 asking for your support. And I don't even think Judge  
15 Miram below believes that he ruled on this basis, and that  
16 is that the First District Court of Appeal gave the worst  
17 possible outcome and found that that very basic general  
18 subsection preempted the city charter, and held that the  
19 City of Redwood City, that the voters actually of the  
20 State, when they adopted their charter in 1937 that they  
21 could not create an independent port authority.

22 And all of the ports, Oakland, San Francisco, San  
23 Diego, Long Beach, Stockton, everywhere, they are  
24 independent ports, mostly by charter -- some have a little  
25 statutory input, but almost all by charter. This is an

1 absolute disaster for Redwood City. I don't believe it  
2 was anyone's intention, other than the outside firm for  
3 Redwood City, and I believe it was result oriented and  
4 also cynical.

5 And we are going to be shifting our activity to a  
6 501(c)(4), which is advocating to our legislators, the  
7 senators and assembly members, to clean this up and to  
8 have some kind of very short legislation that says this  
9 section doesn't mean that. And it likely won't be  
10 retroactive. And it probably won't change the outcome of  
11 that particular case, but it has such incredible import  
12 for the future, including, you know, the efficient  
13 constitutional operation of Redwood City, which has been  
14 solid for almost a hundred years now.

15 And I'd like to say that Dan Slanker is with me.  
16 We didn't realize we would have to sign in under different  
17 users. And so he is here and would like to speak, if I'm  
18 still being heard. I know the counter ran out.

19 CHAIRPERSON KOUNALAKIS: We can hear you. If he  
20 can raise his hand and register as a speaker, we have  
21 several other speakers who will go -- we'll call everyone  
22 in the order that they signed up.

23 MS. MADDEN: Okay. Thank you.

24 CHAIRPERSON KOUNALAKIS: Grace, can you call the  
25 next speaker, please.



1 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

2 Thank you, Chair.

3 Our next speaker will be Patricia Miller followed  
4 by Susan Cummings.

5 MS. MILLER: Hi. Good afternoon. Thank you so  
6 much for letting me sit in the meeting with you. I really  
7 appreciate you guys.

8 And I must let you know that I did -- I'm calling  
9 regarding the issue up on Little Slate Creek Road in the  
10 Lakehead delta burn fire area and the cleanup of the dead  
11 forestation.

12 And I'm happy -- I was very happy the other day  
13 to get a call from Randy Collins informing us that there's  
14 actually some pretty good news, as far as I'm concerned,  
15 about the potential for some -- a reduction of hazard of  
16 the dead trees. He stated to me that a bid was put forth,  
17 and was actually accepted, and may be approved by the  
18 Finance Department to cut back 130 feet off of our  
19 property line.

20 And I just wanted to hear a little bit more about  
21 that potential solution. I'd be thrilled just to get them  
22 cut down and laid down, just so they're not falling all  
23 over the place, and less fire hazard. So I wondered if  
24 you could give me any further information on that.

25 CHAIRPERSON KOUNALAKIS: Jennifer, would you like

1 to respond to that.

2 EXECUTIVE OFFICER LUCCHESI: Yeah, I'm happy to  
3 respond. Thank you so much for participating today. And  
4 I think just in the interests of time, we will have Randy  
5 give you a call back to provide updates on the securing  
6 the contract to pursue the hazard abatement on the school  
7 lands adjacent to your property. But he'll have much more  
8 detail than I can provide now and it would provide for a  
9 much better relay of information and exchange of ideas.

10 MS. MILLER: Okay. Thank you. I appreciate  
11 that.

12 EXECUTIVE OFFICER LUCCHESI: Thank you.

13 MR. MILLER: Okay. Have a good day.

14 CHAIRPERSON KOUNALAKIS: Grace, would you please  
15 call the next speaker.

16 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:  
17 Thank you, chair.

18 Our next speaker is Susanne Cumming followed by  
19 Christina Ku.

20 MS. CUMMING: Good afternoon, esteemed  
21 Commissioners. My name is Susanne Cumming. I'm speaking  
22 as an individual and as a member of Sierra Club, and a fan  
23 of Ballona. The State Lands Commission owns 60 acres in  
24 the Ballona Wetlands, but has hard -- largely been left  
25 out of the planning. Please get involved. I'm asking you

1 to stop the bulldozing plan for the Ballona Wetlands and  
2 place on your agenda a vote to support the gentle  
3 restoration alternative 20-point plan and public access  
4 now.

5 Option one, the bulldozing plan, runs directly  
6 counter to our Governor's directives, and climate change,  
7 sea level rise, biodiversity, and equitable access. It  
8 will put more carbon dioxide into the atmosphere, because  
9 emissions for construction and disturbed soil and  
10 vegetation will outweigh any blue carbon benefits. Note  
11 that the State certified restoration plan openly  
12 acknowledges extensive loss of critical wetlands habitats  
13 due to sea level rise. Please see pages 271 to 275 of the  
14 1,242 page Draft EIR. The wetlands will disappear over  
15 time.

16 Also, the EIR used improper flood risk standards.  
17 Thousands of wild animals and plants living there would be  
18 obliterated. The monarch butterfly habitat that so many  
19 groups and other places are working to develop would be  
20 destroyed.

21 You've seen pictures of the private keep out  
22 signs on this publicly owned land managed by California  
23 Department of Fish and Wildlife. As you know, a large  
24 amount of public money already has been spent on  
25 improvements for public access. Again, please support the

1 20-point plan. There are a lot of thoughtful great ideas  
2 here. It's a nature-based solution.

3 Mindful public access can happen soon. We owe it  
4 to our children, and grandchildren, and future generations  
5 to protect this precious place.

6 Thanks for listening to me.

7 CHAIRPERSON KOUNALAKIS: Thank you very much.

8 Grace, can you please call the next speaker.

9 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

10 Thank you, chair.

11 Our next speaker is Christina Ku followed by  
12 Marcia Hanscom.

13 MS. KU: Hello. Hi there. My name is Christina  
14 and I support the protection of the Ballona Wetlands in  
15 Los Angeles. There actually is a petition out where at  
16 least 10,000 people have signed a petition objecting to  
17 the heavy machinery approach digging up all the life-filed  
18 soils, and removing the water, and wildlife, and 1,700  
19 different kinds of species of animals, and plants from  
20 this wonderful, beautiful place.

21 And they think that they can recreate this and  
22 somehow all the animals, and wildlife, and life there will  
23 just come back magically. So this is just so disturbing  
24 to learn this. I mean, there are dozens of species of  
25 California listed species of special concern and seven

1 endangered species who rely on Ballona Wetlands right now.  
2 And they -- we cannot disturb them. I think as just, you  
3 know, general laypeople, and citizens and, you know,  
4 members of the public, this logic is just so simple. I  
5 would never dig up anything, and remove their home, and  
6 expect that somehow they're just going to magically  
7 reappear.

8 I mean, there have been lawsuits filed and we  
9 just don't want any more money spent on this excavation,  
10 you know, process. And it's a thriving wetlands. And we  
11 just hope that there is some kind of forensic audit that  
12 will be completed, so that we can see where all this money  
13 will go to, and what it's doing exactly.

14 And there have been so many false assumptions  
15 made about this bulldozing plan for the Ballona Wetlands  
16 that are based on. I mean, they've just gotten so many  
17 crucial matters, scientific matters incorrect. And I  
18 mean, one of them is that, you know, they're saying that  
19 there are -- you know, there are actually meandering  
20 sloughs throughout the ecological reserve and they will be  
21 destroyed if bulldozing of soil proceeds.

22 And the wetlands is not dead. I've walked  
23 through there many times. I live close by. It's thriving  
24 and it's just abundantly full of biodiversity. And I  
25 think the -- yeah, there have been some new science

1 reports that's been published about the wetlands that just  
2 have been ignored. And instead of taking all the science  
3 and all the facts that are put -- you know, put forth and  
4 proven, the State Coastal Conservancy and the Bay  
5 Foundation have just, it seems like, deliberately avoided  
6 and ignored all this.

7 So this is all really disturbing to the general  
8 public who, you know, we're supposed to put our trust into  
9 all these folks who are supposed to be, you know,  
10 guardians of our wetlands and wildlife. And I find out  
11 that we can't do that. And that's why I force myself to  
12 take time out from work to join this, to speak up.

13 And also, if you just look again at the map that  
14 the lady previously mentioned, I looked at that too,  
15 because I didn't understand it. What do you mean the  
16 wetlands will be destroyed if you spend \$180 million to  
17 help it? It actually -- the map showed due to sea level  
18 rises and climate change, it will be destroyed, and you  
19 can see it yourself.

20 Thank you for listening.

21 CHAIRPERSON KOUNALAKIS: Thank you very much.

22 Grace, please call the next speaker.

23 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

24 Our next speaker is Marcia Hanscom followed by  
25 Sabrina Brennan.

1 MS. HANSCOM: Honorable Commissioners and staff,  
2 can you hear me?

3 CHAIRPERSON KOUNALAKIS: Yes, we can.

4 MS. HANSCOM: Okay. Great. Marcia Hanscom. I'm  
5 assistant Vice Chair of the Sierra Club Angeles Chapter.  
6 I also Chair the Ballona Wetlands Restoration Committee.  
7 And back in 2003, when I was on the national Sierra Club  
8 Board of Directors, I sat in Governor Gray -- then  
9 Governor Gray Davis' office and we -- he helped us just  
10 months before he was recalled unfortunately. He helped us  
11 to get this land put into public ownership. The State  
12 spent \$140 million for this land, because it was important  
13 ecologically.

14 A couple of years later, the Fish and Game  
15 Commission created an ecological reserve there and most of  
16 the land that we had acquired was put into that ecological  
17 reserve, including some of the land that the State Lands  
18 Commission owns. And, let's see, it's February 23rd,  
19 2021. February 28th, 2020, we actually had one of your  
20 Commissioners out to the wetlands. It was our last tour  
21 we took officially before the pandemic prevented such  
22 tours.

23 And we also had Chairwoman Kounalakis out in  
24 December the year before. Well, since your last meeting,  
25 the State Department of Fish and Wildlife has certified a

1 year later, after they announced the Final EIR, they  
2 certified it. And it's a hugely flawed environmental  
3 document. Of all the documents I've seen in 30 years of  
4 doing this work, I just can't believe how flawed it is.  
5 And maybe the result that you see, there are four  
6 different lawsuits that were filed as a result.

7           We would love to see if we could just solve this  
8 problem and get to what has been called a gentle  
9 restoration, not this big mechanical upheaval. And I want  
10 to say that since the land was purchased, three endangered  
11 species have returned with no big bulldozing or  
12 excavation. And one of those is actually -- has actually  
13 been documented numerous times visually and with audio  
14 documentation. And it's the light foot -- the Ridgway's  
15 light-footed Clapper Rail. That bird almost went extinct.

16           The U.S. Fish and Wildlife Service had to put  
17 these birds into captive rearing. They're now back in  
18 several places and they've returned to the Ballona  
19 Wetlands at -- on your land. So we believe you have  
20 jurisdiction to intercede and we would really like to see  
21 you do so. Please help us to really protect and defend  
22 this land.

23           Thank you.

24           CHAIRPERSON KOUNALAKIS: Thank you.

25           Grace, have -- may we have the next speaker,



1 please.

2 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

3 The next speaker is Sabrina Brennan followed by  
4 Robert van de Hoek.

5 MS. BRENNAN: Hi. Thank you for the opportunity  
6 to speak today. I'm here representing Surf Equity and  
7 also Sport Equity. And I'm the co-founder of the  
8 Committee for Equity in Women's Surfing.

9 And I wanted to speak today a little bit about  
10 San Mateo County. In 2015, I asked the Coastal Commission  
11 to correct decades of gender discrimination by requiring  
12 that women be included in a big wave surf competition held  
13 at Mavericks in San Mateo County. I received support for  
14 a coastal development permit condition requiring the  
15 inclusion of women going forward.

16 By the way, there is a slide presentation with  
17 this. Don't know if that's available to you all.

18 Subsequently, the Coastal Commission voted  
19 unanimously to require the inclusion of a single heat for  
20 women in 2016 and 2017. In 2018, they unanimously  
21 supported requiring a multi-heat women's division with  
22 equal prize money at each participant level.

23 In October 2018, the State Lands Commission  
24 approved a lease requiring the inclusion of multi-heat  
25 women's division and equal pay for all competitors

1 regardless of gender. This was a precedent-setting  
2 victory for equal pay in sporting events held on State  
3 property.

4 In December 2020, you approved a lease to a  
5 women-owned company for future Mavericks surf  
6 competitions. One of the conditions of the new five-year  
7 lease requires a coastal development permit from the  
8 Coastal Commission.

9 Currently, the Mavericks Surf Awards is running  
10 from December 1st to April 15th, 2021. The event is held  
11 on every surfable day for 4.5 months. Men are competing  
12 for 80 percent of the prize money and women are competing  
13 for only 20 percent. Please address this lack of parity.

14 The Mavericks Surf Awards is running without a  
15 State lease and without any permits. Event organizers  
16 should be required to apply for a State Lands lease, so  
17 the Commission can review the contest to ensure that State  
18 land is being used fairly without impeding public access  
19 or jeopardizing public safety. The Mavericks Surf Awards  
20 event has transformed the entire surf season into a  
21 multi-day contest. A website describes the event as a  
22 performance-based video contest that lasts all season  
23 long. Some may describe this as a digital format.  
24 However, the contest is an actual competition that uses  
25 state lands, state waters, public beach, and public

1 facilities.

2 The density and intensity of use has dramatically  
3 increased, because the event runs every day waves break at  
4 Mavericks, as opposed to the traditional format that  
5 includes one contest day per winter season and requires a  
6 State Lands lease.

7 Please consider requiring a lease for the  
8 multi-day Mavericks Surf Awards. Thank you.

9 CHAIRPERSON KOUNALAKIS: Thank you very much and  
10 the Commissioners have received a copy of your  
11 presentation.

12 Grace, please call the next speaker.

13 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:  
14 Thank you, Chair.

15 Our next speaker is Robert van de Hoek followed  
16 by Dan Slanker.

17 MR. VAN DE HOEK: Good afternoon. My name is  
18 Roy, nickname, Robert Jan van de Hoek is my full name.  
19 And the letter "V" in van in traditional Holland is  
20 pronounced like the letter "F" like in having fun. So you  
21 would say van de Hoek, like saying the last name "Luke" or  
22 the boy's name "Luke", "Hoek".

23 Okay. So I'm an environmental scientist.  
24 Pleasure to speak to this -- to you as the Commissioners,  
25 Lieutenant Governor, and State Controller, and the State

1 Governor's representative.

2 I want to speak about the land that you own, the  
3 State Lands Commission owns, at the corner of Jefferson  
4 and Lincoln in Los Angeles County at the Ballona Wetlands,  
5 not the other State agency that owns land, but the land  
6 that you own. And I've had the honor of giving the  
7 Lieutenant Governor and State Controller a tour there.  
8 And it's very important to know that this land hasn't been  
9 being managed correctly.

10 It's been under State Lands Commission for  
11 approximately 20 years and it's had the same manager  
12 running it. And this manager and her company have major  
13 issues in terms of being professional and doing --  
14 falsifying their reports. And I would like to ask you to  
15 do some due diligence finding an independent scientist.  
16 I'm not asking you to trust me necessarily as an  
17 environmental scientist, but not to trust the manager of  
18 the land.

19 The homeowners across the street at Playa Vista  
20 are not happy with what's happening there. The general  
21 public who comes there is not happy. There's false  
22 statements in the signage alone along Jefferson Boulevard.  
23 It says this is the fresh water marsh of Playa Vista.  
24 Well, it's not owned by Playa Vista and it's not managed  
25 by Playa Vista. It's the State Lands Commission, and your

1 logo and your name is not there. And you're invisible as  
2 the owner. And so the public doesn't really know how to  
3 contact. And when they do, they contact Playa Vista or  
4 they contact the scientists and they aren't hearing the  
5 truth about what's happening there.

6 Where do I begin? You heard Marcia Hanscom  
7 mention the light -- a bird called the Clapper Rail, as an  
8 example. And this is just one of a hundred examples of  
9 what's going wrong there. That bird federally endangered  
10 as a miracle almost migrate -- not migrated, but dispersed  
11 from Bolsa Chica or down south in Newport and colonized  
12 the area when the reeds were really tall and luxurious,  
13 cattails and tules.

14 Then they were mowed. And a female and a male  
15 were both there. And experts on the recovery team  
16 documented it with recordings and visual sightings. And  
17 if I could just have a few extra seconds please. I know  
18 my time has run out.

19 CHAIRPERSON KOUNALAKIS: Go ahead.

20 MR. VAN DE HOEK: Oh, thank you. That's to say  
21 that the reeds were all mowed down to ground level. And  
22 the very next time a visit was there to look for the Rail,  
23 both the male and female Rail were gone. And we had lost  
24 an opportunity that only comes by once in a while for a  
25 recovery colonization of the habitat. And so there's many

1 more examples, but I'd ask for a report or an  
2 investigation to be done starting, you know, soon. And I  
3 also like to ask you to write a report -- or letter that  
4 you do not consider doing the EIR -- approve -- that you  
5 disagree with the findings of the EIR, the certification  
6 at the State of Cal -- Department of Fish and Wildlife on  
7 your letterhead.

8 Okay. Thank you for the extra time. Much  
9 appreciated.

10 CHAIRPERSON KOUNALAKIS: Thank you. Thank you.

11 Grace, would you please call the next speaker.

12 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

13 Thank you, Chair.

14 Our next speaker is Dan Slanker followed by a  
15 call-in number, the last three digits 084.

16 CHAIRPERSON KOUNALAKIS: Mr. Slanker?

17 MR. SLANKER: (Inaudible.)

18 CHAIRPERSON KOUNALAKIS: We're having trouble  
19 hearing you.

20 EXECUTIVE OFFICER LUCCHESI: Maybe I could  
21 suggest, Chair Kounalakis, if he wants to call back in.  
22 Maybe hang up and call back in and maybe we'll get a  
23 better connection.

24 CHAIRPERSON KOUNALAKIS: Yes, Grace. Mr.  
25 Slanker, we cannot hear you. If you can perhaps try to

1 call back in. Grace, can you please call the next speaker  
2 and hopefully Mr. Slanker will call back.

3 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

4 Thank you, Chair.

5 Our next speaker will be a dial-in caller. The  
6 last three digits of their number is 084.

7 CHAIRPERSON KOUNALAKIS: Speaker with the phone  
8 number that ends in 084, if you are with us, if you could  
9 state your name and begin.

10 MR. DAVIS: I'm here. I'm here. Can you hear  
11 me?

12 CHAIRPERSON KOUNALAKIS: Yes, we can.

13 MR. DAVIS: Okay. Great. Hi, everyone. My name  
14 is Ryan Davis and I'm the founder and creative director of  
15 America's Greencore. We are a newly formed 501(c)(3) not  
16 for profit that is commissioning the transformation of  
17 Platform Holly into the Hutash Lighthouse maritime  
18 monument. This is intended to be a gift to the Chumash  
19 people and to honor those who served on the frontlines.

20 We are proceeding with this art and science  
21 proposal and would like to add that the design of our  
22 green lighthouse will not only improve local water quality  
23 by creating a rock mass filter that sits atop the seeps,  
24 but it would also be equipped with coastal lightening  
25 mitigation technology, a 360-degree HD fire weather cam,

1 as well as maritime research notes.

2 The Hutash Lighthouse will exhilarate the sea  
3 gazers and serve scientific benefit for the Santa Barbara  
4 community and UCSB. The Hutash Lighthouse beautifies --  
5 beautifies the skyline and puts many members of the  
6 community to work in the process of its construction.

7 Complete removal does little to nothing to repair  
8 and/or improve the water quality of the local beaches.  
9 And it is our position that the Hutash Lighthouse creates  
10 more benefits for the community.

11 Thank you so much for considering our proposal.  
12 And check out our short video pitch and contact us at  
13 [projectfirstlight.net](http://projectfirstlight.net).

14 Thank you.

15 CHAIRPERSON KOUNALAKIS: Thank you very much.

16 Grace, are we able to -- actually, it looks as  
17 though we might have more speakers. Could you please call  
18 the next speaker.

19 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

20 Chair, I believe we're going to have Dan Slanker  
21 through Alison Madden's last line. So, Dan.

22 CHAIRPERSON KOUNALAKIS: Okay.

23 Dan, if you can hear us, please proceed.

24 MR. SLANKER: Yeah. Can you hear me okay?

25 CHAIRPERSON KOUNALAKIS: Yes, we can.



1 MR. SLANKER: Hello.

2 CHAIRPERSON KOUNALAKIS: Yes, we can hear you.

3 MR. SLANKER: Okay. Yeah. All right. Good  
4 afternoon and thanks for the opportunity to speak,  
5 Lieutenant Governor Kounalakis and Betty Yee. My name is  
6 Dan Slanker. I'm a registered professional engineer with  
7 20 years at Mercury Marine, and the last standing  
8 president of Redwood Creek Association and a member of San  
9 Francisco Bay Marinas For All.

10 I'd like to talk some more about Docktown. And  
11 I'd like to point out that displacement is second only to  
12 the loss of a loved one. And that's exactly what's  
13 happened at Docktown. Right now, we are down to the most  
14 vulnerable residents that are there. If this is something  
15 that's starting to sound familiar to you, it should. I've  
16 presented this to you almost half a dozen times and what  
17 I'm saying is almost exactly the same.

18 My family is definitely one of the lucky ones at  
19 Docktown and still yet it has been financially and  
20 emotionally a real strain on every member of our family.  
21 And I feel very strongly and likely have data that what  
22 most people want is simply to be able to stay, to be able  
23 to keep our homes, the place that they live with fair  
24 terms.

25 As far as most if not all residents there, they

1 really have nowhere else to go that is even reasonably  
2 close. Docktown has been here for 75 years and I am  
3 extremely perplexed at how that does not fall into the  
4 status quo of things. That's a really long time. There  
5 are lawsuits still active and possibly more that could  
6 reemerge from what I understand.

7 The whole ordeal has been very odd and  
8 sociopolitical bizarre things. Certainly something  
9 doesn't seem right when we step back from it. I'm going  
10 to skip through some to make sure I have time here.

11 As I have said before, residents are being made  
12 homeless as a result of the Docktown plan. And it's still  
13 current today even more. There are still people living in  
14 their RVs and trailers right outside the property. These  
15 were people that were actually able to provide for  
16 themselves for 10 or 15 years at Docktown prior to the  
17 Docktown plan. They had two jobs, very hard working  
18 people, but cannot afford property or even traditional  
19 housing in the Silicon Valley area.

20 I don't think this is SLC's intent. I hope that  
21 you can help us out in any way you can. Housing continues  
22 to be a big priority. Being a registered professional  
23 engineer for Mercury Marine, I would have to say that  
24 there have been some very poor assessments of the vessel  
25 conditions at Docktown in the past. Most likely, these

1 assessments were misguided. I know from many of the  
2 vessels that we have here that do conform to Public Trust  
3 manners, whether historical means or by means of  
4 navigation. Some of them have been awarded some of the  
5 biggest trophies in the Bay Area.

6 We are just looking for a chance to work it out,  
7 whether it's to stay or -- as is or legislation. As far  
8 as legislation, we would certainly like to keep it simple,  
9 one line legislation like De Anza looking for something  
10 that says it's settled. It's important for it to say that  
11 it's settled as far as SLC and the litigations that are  
12 active today.

13 We have new counsel today and new possibilities.  
14 Thank you for your time.

15 CHAIRPERSON KOUNALAKIS: Thank you very much.

16 Is my mute off, Gayle? Can you -- Grace, can you  
17 hear me?

18 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

19 Yes, we can -- I can hear you clearly.

20 CHAIRPERSON KOUNALAKIS: Okay. Sorry. My mute  
21 button went away there.

22 Okay. Grace do we have anymore speakers who  
23 would like to address the Commission?

24 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

25 Chair, we have no hands raised for additional

1 public comment at this time.

2 CHAIRPERSON KOUNALAKIS: Thank you, Grace. That  
3 concludes our public comment period.

4 The next item of business will be the adoption of  
5 the minutes from the Commission's meeting of December  
6 17th, 2020. May I have a motion to approve the minutes  
7 and a second. Commissioners, please raise your hand in  
8 Zoom, if you would like to make a motion and a second.

9 ACTING COMMISSIONER MILLER: I'll move, Madam  
10 Chair.

11 COMMISSIONER YEE: I'll second.

12 CHAIRPERSON KOUNALAKIS: Thank you. We have a  
13 motion by Commissioner Miller and a second by Commissioner  
14 Yee.

15 Ms. Lucchesi, will you please conduct a roll call  
16 vote.

17 EXECUTIVE OFFICER LUCCHESI: Certainly.

18 Commissioner Yee?

19 COMMISSIONER YEE: Aye.

20 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

21 ACTING COMMISSIONER MILLER: Aye.

22 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

23 CHAIRPERSON KOUNALAKIS: Aye.

24 EXECUTIVE OFFICER LUCCHESI: The motion passes  
25 unanimously.

1           CHAIRPERSON KOUNALAKIS: The next order of  
2 business is the Executive Officer's report. Ms. Lucchesi,  
3 may we please have that report.

4           EXECUTIVE OFFICER LUCCHESI: Yes. Good  
5 afternoon, Madam Chair and Commissioners. I hope to make  
6 my report brief today as we have a very full agenda.

7           I will first provide an update on our two oil and  
8 gas decommissioning projects at Rincon and Platform Holly.  
9 I will also provide an update on the Chevron oil pipeline  
10 leak and response in Richmond, California. I will  
11 conclude by remembering some very special colleagues we  
12 recently lost and acknowledge the retirement of another.

13          My written report includes a much more  
14 comprehensive summary of all the initiatives and projects  
15 Commission staff are leading and I encourage everyone to  
16 take a look at it.

17          We have reached some significant milestones in  
18 the Rincon well abandonment project in Ventura County.  
19 Our well abandonment contractor DrilTek completed the  
20 abandonment of the last 50 wells on Rincon Island and  
21 onshore 24 of the 25 state wells have been abandoned. The  
22 one remaining onshore well is an injection well used to  
23 inject water recovered from the island tank, sump, and  
24 cellar cleaning operations on the island. It will be  
25 plugged and abandoned after these operations are finished.

1 Removal of the onshore storage tanks and other  
2 production-related equipment is in progress.

3           The decommissioning work is divided into three  
4 phases. The primary component of phase one, which was the  
5 plugging and abandonment of 74 wells is now complete. The  
6 remaining phase one work consisting of site clearance  
7 activities is underway and anticipated to be completed  
8 later this year.

9           Phase two is to develop a feasibility study and  
10 complete an analysis under the CEQA, which will inform a  
11 decommissioning plan for Rincon Island, the onshore  
12 facility, and the causeway that connects the artificial  
13 island to the mainland. This work, which will include  
14 extensive public outreach and engagement, will begin soon  
15 as -- and is anticipated to complete in 2022.

16           As part of our commitment to outreach to the  
17 community, we will be hosting a town hall event in March  
18 to update the community. The Commission will continue to  
19 perform necessary maintenance work and provide security  
20 onshore at the causeway and on Rincon Island during phase  
21 two and until a decommissioning plan is executed.

22           Phase three is -- includes executing a  
23 decommissioning plan and will start when phase two is  
24 complete.

25           This operation is one of a handful of remaining

1 offshore oil facilities in State waters and on State  
2 lands. Decommissioning these facilities is a significant  
3 part of California's transition from fossil fuel  
4 production and toward a clean energy future.

5         The Platform Holly decommissioning project  
6 remains suspended due to COVID restrictions and space  
7 limitations on the platform that limit physical distancing  
8 practices. Staff continues to maintain and monitor the  
9 platform and onshore facilities to ensure public health  
10 and safety.

11         ExxonMobil and Commission staff in conjunction  
12 with the city of Goleta are currently developing the  
13 project description to decommission and remove the oil  
14 piers as part of the lease PRC 421. And we expect to  
15 begin the CEQA process within the next couple of months.  
16 The Commission will be the CEQA lead agency and applicant  
17 for the project, which will include robust stakeholder  
18 input. The CEQA process is anticipated to take 12 months  
19 to complete.

20         The access across private property to the State's  
21 Ellwood Pier ended on December 1st due to the expiration  
22 of an existing access agreement with the surface landowner  
23 and ExxonMobil. Both Exxon and Commission operations have  
24 currently relocated to other operating piers in the Santa  
25 Barbara Channel while negotiations to regain access to the

1 Ellwood Pier continue. However, the pier is still  
2 available to transport and evacuate personnel and supplies  
3 to or from Platform Holly in the event of an emergency.

4 Staff is also in coordination with the City of  
5 Goleta to host a virtual town hall on March 10th prior to  
6 the release of the Notice of Preparation for the removal  
7 of the oil piers on Haskell's Beach. This -- the purpose  
8 is to update the community on the status of these various  
9 projects associated with the overall decommissioning  
10 project and to present a high level overview of the pier  
11 removal process.

12 Next, I'll update the Commission on the Chevron  
13 Richmond oil pipeline leak. On February 20 -- or excuse  
14 me, on February 9th, the Chevron Richmond Refinery  
15 reported a leak from a pipeline at the Richmond Long Wharf  
16 in the Bay Area. According to OSPR, laboratory analysis  
17 and technical review indicate that approximately 500 to  
18 750 gallons of diesel and flush water mix were released.

19 The response is being managed by the unified  
20 command comprised of representatives of the United States  
21 Coast Guard, the California Department of Fish and  
22 Wildlife, Office of Spill Prevention and Response, Contra  
23 Costa County Health Services Department, and Chevron.

24 Marine Spill Response Corporation, or MSRC,  
25 conducted sensitive site protection as well as containment



1 and recovery efforts. Protective booming of two  
2 Environmentally sensitive sites were deployed. And after  
3 no sheen was observed outside the immediate cleanup area,  
4 the boom was removed on February 13th. An additional 600  
5 feet of boom remains deployed around the long wharf as a  
6 protective measure.

7 The California Office of Environmental Health  
8 Hazard Assessment determined that no fisheries closures  
9 were warranted in response to this incident and there have  
10 been no reports of wildlife impacts to date.

11 OSPR, the Coast Guard, and Contra Costa Health  
12 Services are conducting investigations into the cause of  
13 the leak. The Chevron Long Wharf facility is located on  
14 lands managed by the Commission and subject to a 30-year  
15 lease authorized by the Commission in 2006. Staff is  
16 working with OSPR and the other agencies to provide  
17 information as part of the investigatory process.

18 I'm sorry to report that a long-time colleague  
19 and friend of the commission, Alan Hager passed away in  
20 December of last year. Alan spent his career, over four  
21 decades, with the California Department of Justice. As a  
22 Supervising Deputy Attorney General, Alan represented  
23 State agencies, including the Coastal Commission, State  
24 Lands Commission, and CalGEM, what was then called the  
25 Division of Oil and Gas.

1           He became one of the State's most trusted legal  
2 experts in the regulation of oil and gas and was admired  
3 by his colleagues as a thoughtful, kind, and ethical  
4 public servant, as well as a brilliant legal writer. He  
5 mentored many young attorneys and -- on the practice of  
6 law, and the importance of seeking justice rather than  
7 winning for the sake of winning.

8           I was personally lucky enough to have worked with  
9 him and learned from him for over ten years while he  
10 represented the Commission. He was a kind friend, a  
11 collaborative colleague, an important mentor to many of  
12 us.

13           It is also with great sadness to report that our  
14 dear colleague and friend Noel Saito passed away  
15 unexpectedly in January. Noel was initially hired with  
16 the State of California in 1992. Over his almost 29 years  
17 with the State, he worked for EDD, the Department of  
18 Corporations, DTSC, and Cal (inaudible). He spent over 18  
19 years of his State career with the State Lands Commission.

20           Noel was an incredible colleague. As an Energy  
21 and Mineral Resources Engineer in the Safety Audit  
22 Program, Noel worked on safety audits for offshore  
23 platforms and assessing the condition of equipment,  
24 vessels, and piping, and other oil and gas infrastructure.  
25 Noel also managed oil gas onshore and offshore leases in

1 Santa Barbara county and geothermal leases and permits in  
2 the geysers in Northern California and Imperial County to  
3 the south. He was a key member in our government -- he  
4 was also a key member in our Government Alliance on Race  
5 and Equity team.

6           Importantly, he was such an amazing colleague,  
7 friend, father, and human being. Losing him is tragic to  
8 our State Lands family. He was loved by so, so many of  
9 us. We will remember Noel as a beacon of light, kindness,  
10 and generosity in our State Lands universe.

11           And finally, on a happier note, it is an honor to  
12 acknowledge the retirement of our beloved colleague Lori  
13 Pett. After 40 years of service to the State, Lori will  
14 be retiring at the end of this month. Starting in  
15 December of 1979, she has held a variety of positions,  
16 such as word processing technician, office services  
17 supervisor, and a program technician, (inaudible) and  
18 division.

19           Recently, she has been assisting in the critical  
20 statewide effort related to COVID tracing and  
21 investigations. This is a testament to her incredible  
22 service to the people of California. Over her long tenure  
23 with the Commission, Lori has worked for 31 Commissioners,  
24 seven Executive Officers, and seven Governors.

25           The Commission has benefited from her attention

1 to detail, her dedication to working behind the scenes,  
2 her elaborate party planning and decorating skills, and  
3 her willingness to help out in all areas of the  
4 Commission's work.

5 Her absence will be felt throughout the entire  
6 organization. And while selfishly we will miss her  
7 terribly, we are so excited and happy for her to embark on  
8 her retirement life. We thank her for making the  
9 Commission a better agency over the years, and wish her  
10 all the best in her future adventures.

11 That concludes my Executive Officer's report.  
12 Thank you.

13 CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.  
14 Lucchesi, and in particular for remembering members of the  
15 State Lands family, and friends, and colleagues. It's  
16 very important at this time when we can't be together in  
17 person to make sure that these passages are recognized by  
18 everyone in the community and the people who make this  
19 Commission great, and who work together every day with a  
20 shared purpose are recognized.

21 Commissioner Yee, do you have any comments or  
22 questions?

23 COMMISSIONER YEE: Thank you, Madam Chair. Thank  
24 you, Ms. Lucchesi, for the report. No. I just want to  
25 echo your comments, Madam Chair, about just acknowledging

1 the State Lands family and all of their contributions.  
2 But I think what's emblematic of just the commitment,  
3 dedication of the staff is the remainder of Ms. Lucchesi's  
4 report. And I just want to give a shout-out to the  
5 amazing work that continues to get done under some very  
6 extraordinary circumstances, and particularly the  
7 tremendous progress on the plugging and abandon -- and  
8 abandoning of the wells on Rincon Island. So just really  
9 a great accomplishment and obviously in partnership with  
10 the Department of Conservation.

11 Thank you.

12 CHAIRPERSON KOUNALAKIS: Commissioner Miller, do  
13 you have any comments or questions?

14 ACTING COMMISSIONER MILLER: No, I don't. I just  
15 wanted to share Ms. Lucchesi's thoughts and prayers for  
16 the friends of State Lands Commission and also  
17 congratulations to Lori on decades of service. And we're  
18 really, really grateful. And it is -- it's that service  
19 that makes a huge difference I think in California. So  
20 thank you, Madam Chair.

21 CHAIRPERSON KOUNALAKIS: The next order of  
22 business will be the adoption of the consent calendar.  
23 Commissioner Yee, Commissioner Miller, are there any items  
24 that you would like removed from the consent calendar?

25 COMMISSIONER YEE: I don't have any.

1           ACTING COMMISSIONER MILLER:   (Shakes head.)

2           CHAIRPERSON KOUNALAKIS:   Next, I call on Ms.  
3 Lucchesi to indicate which items, if any, have been  
4 removed from the consent calendar.

5           EXECUTIVE OFFICER LUCCHESI:   Yes.   Consent item 3  
6 is removed from the agenda and will be considered at a  
7 later time.

8           And consent item 10 is moved from the consent  
9 agenda to the regular agenda and will be heard at the end  
10 of our regular agenda items.

11          CHAIRPERSON KOUNALAKIS:   Thank you.

12          Is there anyone joining us virtually who wishes  
13 to speak on any item remaining on the consent calendar?  
14 If so, please raise your Zoom hand or dial star nine, if  
15 joining by phone, now.

16          Grace, has anyone registered to speak on items on  
17 the consent calendar?

18          LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

19          Thank you, Madam Chair.   There are no hands  
20 raised on the consent agenda.

21          CHAIRPERSON KOUNALAKIS:   All right.   Then we will  
22 proceed with the vote.   May I have a motion to adopt the  
23 consent agenda and a second.   Commissioners, please  
24 remember to raise your Zoom -- your hand in Zoom, if you'd  
25 like to make a motion and a second.

1 COMMISSIONER YEE: I'll move the consent  
2 calendar, Madam Chair.

3 ACTING COMMISSIONER MILLER: And I'll second it.

4 CHAIRPERSON KOUNALAKIS: We have a motion from  
5 Commissioner Yee and second from Commissioner Miller.

6 Ms. Lucchesi, will you please conduct a roll call  
7 of the vote?

8 EXECUTIVE OFFICER LUCCHESI: Yes.

9 Commissioner Yee?

10 COMMISSIONER YEE: Aye.

11 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

12 ACTING COMMISSIONER MILLER: Aye.

13 EXECUTIVE OFFICER LUCCHESI: Madam Chair?

14 CHAIRPERSON KOUNALAKIS: Aye.

15 EXECUTIVE OFFICER LUCCHESI: The motion passes  
16 unanimously.

17 CHAIRPERSON KOUNALAKIS: The next order of  
18 business will be the regular calendar.

19 Item 41 is to consider the adoption of the  
20 Commission's 2021-2025 Strategic Plan. May we have the  
21 presentation, please?

22 EXECUTIVE OFFICER LUCCHESI: Madam Chair, our  
23 Environmental Scientist, Katie Robinson-Filipp along with  
24 our consultant, Lisa Beutler, will be providing staff's  
25 presentation.

1 (Thereupon a slide presentation.)

2 CHAIRPERSON KOUNALAKIS: Wonderful. Please  
3 proceed with the presentation.

4 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
5 you, Madam Chair, Commissioners. My name is Katie  
6 Robinson-Filipp. And I'm an environmental scientist at  
7 the Commission. Today, I'm excited to present a brief  
8 update on the final implementation year of the 2016-2020  
9 Strategic Plan, followed by a presentation from Lisa  
10 Beutler with Stantec introducing the proposed 2021-2025  
11 Strategic Plan.

12 Next slide, please.

13 --o0o--

14 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: The  
15 Commission adopted its current strategic plan at its  
16 December 18, 2015 public meeting. The plan was the  
17 culmination of robust stakeholder input and collaboration  
18 to guide the Commission's stewardship of public lands and  
19 resources and promotion of public access. The strategic  
20 plan enables the Commission to adapt to emerging  
21 challenges, while creating a meaningful and rich framework  
22 to effectuate State policy, goals, promote public access,  
23 generate revenue for the State's general fund, and for  
24 benefit of California's State Teachers' Retirement System,  
25 and enforce the protections of the Public Trust Doctrine.



1           Last year marked the final year of the  
2     implementation for the 2016-2020 Strategic Plan. It was  
3     also a year defined by challenges, including the ongoing  
4     global pandemic and racial inequities, and one of  
5     California's worst wildfire seasons on record. These  
6     challenges are not isolated to a single year, but rather  
7     reflect emergency -- emerging challenges that require  
8     urgent, far-reaching, and forward-focused action.

9           The Commission quickly adapted to 2020's -- to  
10    2020's challenges and made strides in implementing the  
11    final year of the strategic plan. In response to the  
12    COVID-19 pandemic, the Commission shifted quickly to  
13    hosting virtual public meetings in April 2020.

14          The Commission's Information Services Division  
15    was also quickly able to provide the technical --  
16    technological resources needed to increase staff's  
17    teleworking capability. The number of staff teleworking  
18    either part or full time went from approximately 40  
19    percent at the start of the pandemic to over 90 percent.  
20    The Commission also maintained a successful trend of  
21    monitoring oil transfers at marine oil terminals in a  
22    pandemic-challenged work environment.

23          Additionally, the Commission advanced renewable  
24    energy and approved the first solar energy project on  
25    school lands, a 128 -- sorry, a hundred and twenty-eight

1 megawatt facility in Kern County. This facility will  
2 contribute to achieving the state's greenhouse gas  
3 emission reduction targets and will generate revenue for  
4 the California State Teachers' Retirement System, CalSTRS.

5 The Commission also facilitated a historic  
6 transfer of a 40-acre school land parcel to the Lone Pine  
7 Paiute Shoshone Reservation to preserve and protect tribal  
8 cultural resources.

9 The Commission has also made major progress in  
10 its commitment to public health and safety, completing the  
11 plugging and abandonment of all 50 offshore island wells  
12 and 24 of the 25 onshore wells at Rincon Island, all ahead  
13 of schedule and under budget.

14 The Commission also finalized an addendum to the  
15 EIR for the Becker and legacy well abandonment and  
16 remediation project, and then successfully plugged and  
17 abandoned the Treadwell 10 and Northstar 805 legacy wells  
18 located off Summerland Beach in Santa Barbara County.

19 The Commission's perseverance through these  
20 challenges and responsiveness to change lays the  
21 groundwork for the next five year update. The final  
22 proposed 2021-2025 Strategic Plan affirms the Commission's  
23 commitment to respond to emerging challenges through  
24 meaningful action and inclusive engagement.

25 Next slide, please.

--o0o--

ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: The 2021-2025 Strategic Plan is intended to be an aspirational document that is forward-looking and based on the input and comments we received through robust tribal, stakeholder, and public engagement. The strategic plan builds on the Commission's progress since the adoption of the previous plan and identifies the emerging challenges and opportunities the Commission is committed to addressing over the next five years.

The proposed plan presents an updated mission, shown here with the new text in orange that reflects the Commission's commitment to responding to emerging challenges through meaningful action and inclusive engagement.

Next slide, please.

--o0o--

ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: The proposed plan also outlines the core values that serve as a lens through which the Commission will view all its activities, inclusivity, accessibility equity, environmental justice, sustainability, visionary, responsible economic growth, and integrate Native American perspectives.

Additionally, the 2021-2025 Strategic Plan also

1 responds to stakeholder input by adding new guiding  
2 principles, public health and safety, and stewardship.  
3 The public health and safety principle is rooted in the  
4 Commission's responsibility to prioritize and embed public  
5 health and safety in every decision and action. The  
6 principle stewardship emphasizes the Commission's critical  
7 role of balancing competing uses with long-term protection  
8 of lands and resources.

9           Next slide, please.

10                               --o0o--

11           ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: The  
12 Commission responds to the need to address emerging  
13 challenges with seven strategic focus areas, and  
14 accompanying goals: One, leading climate activism;  
15 prioritizing social, economic, and environmental justice;  
16 partnering with sovereign tribal governments and  
17 communities; meeting evolving Public Trust needs;  
18 leveraging technology; committing to collaborative  
19 leadership; and building a reimagined workforce.

20           Commission staff have worked with consultant  
21 Stantec to facilitate a comprehensive and inclusive  
22 engagement outreach effort to inform the development of  
23 the 2021-2025 Strategic Plan, which we are excited to  
24 present today.

25           This document reflects the input, ideas, and

1 comments from stakeholders, tribal engagement, public  
2 meetings and comments, Commission staff, and recent  
3 comments submitted on the draft strategic plan, into a  
4 final proposed 2021-2025 Strategic Plan that will be  
5 presented today.

6 Next slide, please.

7 --o0o--

8 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: And now  
9 I'd like to welcome Lisa Beutler from Stantec to provide a  
10 summary of the comments we received on the draft strategic  
11 plan and to present an overview of the structure and  
12 content of the final proposed 2021-2025 Strategic Plan.  
13 Thank you.

14 CHAIRPERSON KOUNALAKIS: Thank you for that  
15 excellent presentation, Katie. Great job.

16 And Lisa, please go ahead.

17 MS. BEUTLER: Thank you so much. I'll go ahead  
18 and just start off talking a little bit about our role.  
19 So as your consultant team, our job was to gather  
20 information from your staff, from stakeholders, and others  
21 to pull together and provide a faithful reflection of what  
22 the collective view was about the strategic perspective of  
23 the Commission and the direction that you might be headed.  
24 So what you see reflected we hope you view as more a  
25 transcription than any particular product from your

1 consultant team.

2           So moving forward, I wanted to talk a little bit  
3 about not just what we -- what we are presenting to you  
4 today, but also a little bit about what we heard from  
5 stakeholders.

6           So with that, I'll move to the next slide.

7                               --o0o--

8           MS. BEUTLER: The job of a strategic plan is to  
9 really be aspirational. It should be forward-thinking.  
10 It should serve as a compass or a lighthouse. It's  
11 providing something of a direction. I think it's  
12 important to understand what a strategic plan does. As  
13 you hear what the comments might have been and how you --  
14 what you see reflected in this plan, that's going to be  
15 focused on the idea that this is what a strategic plan is.

16           When we pull together the strategic plan, what we  
17 asked was where has the organization been, where is it  
18 now? That created some context for your plan. We wanted  
19 to understand what the drivers of change would be, so that  
20 the Commission could be strategically positioned to  
21 respond to those drivers. We asked what might the optimum  
22 responses be to help you address those challenges and then  
23 learned what might make sense in terms of strategies and  
24 actions that would advance the direction that you want to  
25 go.

1 Moving to the next slide.

2 --o0o--

3 MS. BEUTLER: We heard a lot from members of the  
4 public, stakeholders, tribal governments. And we just  
5 wanted you to know that in your comment period, you  
6 received 51 different organizations and individuals'  
7 comments. You'll see a plus at the end of each of these  
8 numbers. That plus stands for the staff. Something that  
9 was a really wonderful part of this process is that the  
10 management team went back to each of the staff programs  
11 and asked them to think about this plan in the context of  
12 how they might actually implement it. What would it look  
13 like as they incorporated it into their day-to-day work.  
14 And so everyone of those pluses is a reflection of lots  
15 and lots of input from the staff as well as from the  
16 public.

17 There were 30 unique submissions. So what the  
18 means is there were a couple of letters that were provided  
19 or comments that were provided by multiple parties signing  
20 one letter. And then of those, within those letters,  
21 there are 118 plus discrete comments where -- and they  
22 were quite specific. You might remember in the draft  
23 plan, there were line numbers. And oftentimes, people  
24 would say, okay, on line 662, I want to talk about this  
25 particular word.

1           So of those, I would like to really give a major  
2 shout-out to Katie. She was the keeper of the spreadsheet  
3 that had all of these listed. So she -- she was quite  
4 remarkable and we just cannot thank her enough for her  
5 organizational skills.

6           So moving to the next slide.

7                       --o0o--

8           MS. BEUTLER: We heard a range of perspectives.  
9 This is just a list. This is two sides. I wanted you to  
10 get a sense of who actually sent in comments. And as  
11 you'll see, there isn't one distinct type of a commenter.  
12 There are a lot of different people that had different  
13 ideas.

14           We can go to the next slide. There's two slides.

15                       --o0o--

16           MS. BEUTLER: And I would just kind of note the  
17 kinds of letters that we got. They were -- those that had  
18 multiple signatories were ones that tended to be around an  
19 area of advocacy. Those would be things that you're  
20 already familiar with. So, for example, you've heard  
21 about seabed mining and things like that. So those kinds  
22 of letters, they tended to surround around that type of a  
23 content.

24           The other letters that were really wonderful to  
25 read and really exciting. They talked about -- they



1 didn't view this as a -- as somebody else's plan. They  
2 were not neutral about the plan. From the perspective of  
3 these writers, your business is their business. They felt  
4 that they had a role in this, that this was about how they  
5 wanted to know how they could create alignment. And  
6 several different commenters said, you know what, this  
7 really aligns with this thing that I'm doing right now,  
8 and I really see how we might work together to do this.

9           This is really exciting, because this is actually  
10 what you want from a strategic plan. What you want from a  
11 strategic plan is the ability for others to co-create and  
12 collaborate with you in moving to the future that you're  
13 looking for. So that was the very, very fun thing about  
14 this.

15           Moving down to the next slide.

16                   --o0o--

17           MS. BEUTLER: I wanted to talk a little -- also  
18 about the tenor. These were very thoughtful and I'm -- as  
19 a person who's spent most of my life in government, I can  
20 tell I've read lots, and lots, and lots of comment  
21 letters. And I was just really struck by the tone, how  
22 thoughtful they were, how discerning they were, how  
23 careful the word choices were. There was just so much  
24 thoughtfulness in all of that.

25           A lot of the record -- of the comments were very

1 encouraging. People just liked the direction you're  
2 going. They wanted you to know how they supported it.  
3 They -- in fact, if anything, a lot of times people felt  
4 you had not gone far enough. And that was -- that was  
5 kind of a funny piece as well for us.

6 We felt when you saw -- when you saw the first  
7 draft, that it was actually a very bold plan. And we  
8 actually had commenters say, gosh, you just weren't bold  
9 enough. You could have gone -- you could have gone  
10 further than you did. So that was again kind of a fun and  
11 exciting thing that we heard.

12 It was largely hopeful. It was like these are  
13 things that you can do that could really make a  
14 difference, and also, very generous. Just a lot of  
15 graciousness in the tone and the way that people offered  
16 their best thoughts.

17 So moving to the next item.

18 --o0o--

19 MS. BEUTLER: I wanted to share a little bit  
20 about how we ended up laying out the plan. So as you  
21 recall -- and for those who have not yet seen the full  
22 plan, the Commissioners set the stage. They write an  
23 introductory letter. And each of the Commissioners have  
24 signed it, so I won't need to cover that with the  
25 Commission, but just setting the stage, talking about why

1 this is important, and explaining what they are hoping to  
2 receive from this plan.

3 Then the mission statement, executive highlights  
4 is just a summary of the overall plan, and then about the  
5 Commission. And this just kind of sets the stage. Katie  
6 did a nice job. She laid out for you some of the vision  
7 and values, the guiding principles, mission. That was  
8 in -- that's in this section of the plan.

9 Reflecting on the accomplishments, it was a  
10 collection of the things that you've heard in your reports  
11 every year, that were pulled together and summarized, so  
12 people could understand what happened during the last five  
13 years. And then there was a lot of discussion of the  
14 drivers of change.

15 In terms of comments, some people actually  
16 offered some additional insight about those particular  
17 drivers of change. More, we may have made some minor  
18 adjustments based on that input. If there was anything  
19 factually that needed correction or an emphasis that was  
20 appropriate, that might be the type of thing that was  
21 reflected in between the draft and the final.

22 The call to action, again, this is what the  
23 Commission has been called to do. Once again, if  
24 anything, most of the comments had to do with asking you  
25 to be bolder.

1           And then finally, the strategic focus areas.  
2 I'll spend a little bit more time on that in just a bit.

3           The additional resources, we set that up as a  
4 link. Originally, we were looking at this being an  
5 appendix of some sort, and then we realized it would be  
6 really important to be able to refresh this information,  
7 and also some of it was evolving. So now it's going to a  
8 dedicated website that your management and staff team have  
9 set up for you, and people will be able to go in. It will  
10 always be refreshed and that's going to be a great option.

11          Also, throughout the plan, you'll see some  
12 absolutely gorgeous photos and we want to make sure that  
13 the people who took those photos get credit. So at the end  
14 there's a list of those.

15          The thing that you see next is the map of the  
16 Lands Commission. This looks like a very, very simple  
17 drawing and I want to tell you, it absolutely is not. In  
18 fact, if Colin wanted to talk, I'm sure he'd be happy to  
19 jump in and share with you. Representing the Lands  
20 Commission scale and the jurisdiction that you have is no  
21 small feat. And we just wrestled with this map. We had  
22 one version that looked like the State had measles, which  
23 didn't -- didn't really work visually. We had other  
24 versions that the color combinations were not clean  
25 enough, so that people who were visually impaired could

1 use it.

2 I might comment on that as well briefly. One of  
3 the things that we really tried to do with this document  
4 was make it very ADA compliant. So there was some -- we  
5 gave up some of the things that you might do visually with  
6 the plan in order to ensure that it was very readable to a  
7 PDF reader. So that was one of the goals when we looked  
8 at this. So as you're looking at this though, we do hope  
9 it represents this extraordinary jurisdiction and the way  
10 that the -- that you as a Commission have to think about  
11 the State, and just every level and type of property.

12 Moving to the next item.

13 --o0o--

14 MS. BEUTLER: As mentioned, I wanted to focus on  
15 the strategic focus areas and goals. And this is where  
16 the vast majority of the comments that we received where  
17 they came. So as you look at leading climate  
18 activision -- activism, there was a great deal of interest  
19 in this. People offered very specific suggestions,  
20 suggested some fine-tuning. Many, many people felt that  
21 you could have gone bolder with this. I will say that the  
22 reconciliation of the notes on this, once again things  
23 were fine-tuned, tightened up a little bit.

24 It is largely though what you've seen here. And  
25 I pull back again. The reason that it hasn't changed a

1 lot is because of the purpose of the strategic plan. So  
2 there was really this tension between what is a strategic  
3 plan, and what is a tactic, or what might you do as a  
4 specific action.

5 One of the things that the staff will be doing is  
6 they're -- they have now -- all of these comments, they've  
7 been pulled together and they will be utilizing that as  
8 they develop workplans, programs, things like that. So  
9 the comments that were made were not lost in any way.  
10 Those are things that are just moving forward. This just  
11 wasn't the place where they showed up. So I wanted to  
12 provide some perspective on that.

13 In terms of the area of prioritizing social,  
14 economic, and environmental justice, a great deal of  
15 support for this section of the document. There were two  
16 areas that people asked us to look at, which was really be  
17 thoughtful about managing the tension between jobs and the  
18 environment, not to look at just simple job creation at  
19 the expense of the environment and how that might be  
20 something that could accidentally be inappropriately  
21 addressed in this area. So they want -- they wanted a  
22 caution on that.

23 The other one kind of comment that we received  
24 was to think a little bit bigger. So, for example, there  
25 was a comment about transboundary issues, for example, the

1 Tijuana River and environmental justice with regards to  
2 Tijuana River pollution. So those are really helpful  
3 things. Once again, those weren't -- aren't specifically  
4 pulled out here in this plan area. That has all been  
5 pulled in to future work that the Commission will be  
6 looking at.

7 We then move on to partnering with sovereign  
8 tribal governments and communities. Once again, a huge  
9 amount of support for this. A lot of people very excited  
10 to see this. We also received some thought -- thoughtful  
11 comments from tribal representatives. Those are reflected  
12 in this version. One really wonderful letter that was  
13 received had to do with the overall plan, and it was a  
14 very thoughtful encouraging letter. And they also  
15 suggested that you take a look, that when you use the word  
16 "sustainability", that you consider possibly accelerating  
17 that word to thrivability. And Jennifer is nodding --  
18 nodding yes. We actually went back to the document and  
19 tried to figure out how we could work that word in. It  
20 was -- we were really excited and that was again came from  
21 a comment letter.

22 The next part has to do with meeting evolving  
23 Public Trust needs. And this is again an area where we  
24 did receive a lot of comments. One thing that people  
25 wanted pulled out -- and you can go ahead and flip to the

1 next page, if you'd like.

2 --o0o--

3 MS. BEUTLER: One thing that people were hoping  
4 for was very, very overt statements about public access.  
5 And that was something that it didn't quite fit here.  
6 It -- there was no -- those kinds of comments were not in  
7 any way disagreed with. It was just what was the role of  
8 that comment relative to this document.

9 So once again, that has been pulled into some  
10 other places in the Commission's work. The other kind of  
11 comment we received from this section had to do with the  
12 balance of the normal triple bottom line equation, so how  
13 do you balance the economy, how do you balance the  
14 environment, how do you balance justice and social equity.  
15 So those kinds of things, as you thought about how you  
16 might implement this, that would be the thing they would  
17 ask you to look at. You'll see that more reflected, I  
18 think, when you start seeing workplans and actions, rather  
19 than in the actual document that you see here. Once  
20 again, this is a higher level piece.

21 Another exciting and fun thing was the comments  
22 we received on technology. And for that one, people  
23 really saw that it was integrated with nearly everything  
24 else. But one area of emphasis that was very important,  
25 we heard lots and lots about maps, and the need for



1 geographical information systems. And the other piece of  
2 technology we heard about was the importance of technology  
3 with making sure that you can remain connected to your  
4 public and making -- these -- so the types of things that  
5 you're doing right now with these meetings, that was  
6 something that was important to people.

7           The last one was committing to collaborative  
8 leadership. And once again, that is a place where people  
9 jumped in. They wanted to share their thoughts about how  
10 they might be part of that. Many suggestions about how  
11 you might move forward with this particular item. So an  
12 area where lots of support and additional ideas for how  
13 you might move forward with this item.

14           So moving into the last page, which is the next  
15 slide --

16                               --o0o--

17           MS. BEUTLER: -- is building a reimagined  
18 workforce. And there was one heartfelt letter that was  
19 received. And this was a person that was really asking to  
20 make sure that no one be -- would be left behind in this  
21 kind of a conversation, that there is a transition --  
22 there's a transition and skill sets, and making sure that  
23 everybody in the workforce would be able to see themselves  
24 in this reimagined place, so whether we did make some  
25 adjustments to this section just to ensure that that

1 message was really carried through.

2 I already mentioned in the discussion of the  
3 table of contents about additional resources. This is  
4 what that page looks like.

5 And that pretty much sums up the strategic plan.  
6 So with that, I'll turn this back to --

7 EXECUTIVE OFFICER LUCCHESI: Yes. Hi. I will  
8 just make a couple of concluding remarks before turning it  
9 over to you, Chair Kounalakis.

10 First, I want to emphasize the visionary nature  
11 of the strategic plan. I know we've talked about it a lot  
12 today and a lot over the past couple of meetings, but  
13 really want to emphasize how visionary this document is.  
14 And we will soon be getting to work as a staff on  
15 developing workplans, operational plans, implementation  
16 plans. We're not sure what we're going to call it yet,  
17 but it's really putting the meat on these bones, on this  
18 foundation, on how we're going to achieve the vision that  
19 the Commission has set out for us.

20 If -- you know, 2020 has taught us a lot. But  
21 what it has really instilled in us as a staff is that we  
22 need to be adaptable and flexible to the State's  
23 priorities and to the public's needs, and those can change  
24 very quickly. And so having annual or every two-year  
25 workplans or operational plans that really reflects what

1 the State's priorities are, what the people's needs are,  
2 is important for us to accomplish the vision that you set  
3 out for us.

4 And finally, I just want to take a moment to  
5 express my gratitude for a number of different people.  
6 First, I want to thank Lisa and her team, Christy, KC, and  
7 Gill. I don't know how we would have done this,  
8 accomplished this kind of document during 2020 without  
9 them. Just the amount of time, and energy, and  
10 thoughtfulness that they put in to conducting interviews,  
11 and surveys, and outreach, and engagement with all of our  
12 stakeholders, along with our staff. It was incredible and  
13 I'm just grateful, because it allowed us as the lead -- as  
14 the staff leaders of the Commission to be able to focus on  
15 making sure that we continued to run the Commission's  
16 business through the pandemic. And so I -- I'm just  
17 eternally grateful to Lisa and her team for their work.

18 I also want to thank our staff leadership for  
19 this project. Bob Stoddard, who really helped keep us on  
20 track consistently, almost annoyingly --

21 (Laughter.)

22 EXECUTIVE OFFICER LUCCHESI: -- but he kept us  
23 going and meeting all the deadlines that we needed to meet  
24 and would not (inaudible) without meeting those deadlines.  
25 And this was while he was taking care of his

1 grandchildren, his family during the pandemic. And I'm  
2 just grateful for his time and dedication to this project.

3           We've talked a lot about Katie. She is  
4 phenomenal. I want to just add, in addition to everything  
5 that Lisa said about her, that she is -- has also been  
6 preparing to defend her master's of science thesis on  
7 Thursday, in addition to all the work and commitment that  
8 she's put in to not only the strategic plan, but all the  
9 various other things that she's doing for us at the  
10 Commission. She is -- I don't know where she gets all of  
11 her energy, and organization, and keeps us all on track as  
12 well.

13           And finally, Colin Connor, our execute -- our  
14 Assistant Executive Officer, who was leading our staff  
15 team on all this. Again, this was as he was managing our  
16 staff and our teams during the pandemic, and making sure  
17 that we kept this project and this effort on schedule to  
18 the best of our ability. And I can't thank his leadership  
19 enough on this effort.

20           Finally, our stakeholders, and our public for the  
21 time and energy that they took to participate in this  
22 effort. Everybody's time and energy was stretched so thin  
23 last year and continues to be so. And I just am grateful  
24 for their attention to our strategic plan and what they  
25 would like to see us do to help serve them.

1           And then final, final, thank you to our  
2 Commissioners. Commissioner Yee, as Chair last year, who  
3 led this effort, Chair Kounalakis this year, who is going  
4 to bring it home hopefully, and Commissioner Miller, thank  
5 you for just your -- just -- for empowering us, for giving  
6 us the foundation and the vision to succeed at this. And  
7 we just hope that you're as proud of us strategic plan as  
8 we all are as staff.

9           So that concludes my remarks, Chair Yee. Thank  
10 you -- or excuse me, Chair Kounalakis. Thank you.

11           CHAIRPERSON KOUNALAKIS: Ms. Lucchesi, I think we  
12 should probably all start in thanking you as you went  
13 through the long list of everyone to thank. You as the  
14 Executive Director, you have been an incredible leader in  
15 this very big, broad effort to create a strategic plan for  
16 the State Lands Commission, and your many years of  
17 service, and your expertise, your collaborative approach,  
18 your leadership with your team, and the consultants you  
19 brought on board, and then, of course, your ability to  
20 balance all of the issues, and the questions, and the  
21 ideas that were raised by our many, many stakeholders. So  
22 than you, Ms. Lucchesi for your incredible work in getting  
23 us here.

24           And I will turn it over to Commissioner Yee, but  
25 also echo, as you said Jennifer, Commissioner Yee's, first

1 and foremost, her leadership as a catalyst of creating a  
2 strategic plan for State Lands Commission and then, of  
3 course, her leadership last year in 2020 when so much of  
4 the work was done.

5 Commissioner Yee.

6 COMMISSIONER YEE: Thank you, Madam Chair. Thank  
7 you.

8 This is really something I think we all should  
9 feel very, very proud of, just the fact that we got this  
10 accomplished. And I share in the thanks for everyone who  
11 was responsible for getting us to this point. But, you  
12 know, I've seen a lot of strategic plans. The one thing I  
13 want to just say about this one, in addition to what Lisa  
14 and Katie shared with us about just the tenor of the  
15 engagement with so many of our stakeholders, is that it's  
16 a really intelligent plan, but it's not so aspirational as  
17 to not be realistic about what our challenges are ahead.

18 And I really so appreciate that, because we know  
19 what work we have ahead of us, and -- but just the idea  
20 that we recognize that we are living in a changing -- ever  
21 changing evolving world, in which we are carrying out our  
22 responsibility -- our stewardship responsibilities and so  
23 much more.

24 But what really makes this, I think, really  
25 special is the stakeholder involvement, you know, from the

1 very beginning, so that we're not, you know, really  
2 looking at those relationships when we actually have to,  
3 you know, deal with those relationships, and that there, I  
4 hope over time, is a trust that's being established with  
5 all of our stakeholders, even when there's disagreement,  
6 that the idea that we are here because we know that we all  
7 share in the fulfillment of the promise of the Public  
8 Trust.

9           And so I'm just really grateful for all the work.  
10 And to Jennifer especially, thank you for allowing us to  
11 even have a strategic plan after so many years without  
12 one. And I'm just really proud of this work product.  
13 And, Madam Chair, looking forward to you as -- as Jennifer  
14 said, to take this over the finish line with our business  
15 plans going forward.

16           Thank you.

17           CHAIRPERSON KOUNALAKIS: Thank you.

18           Commissioner Miller, do you have any comments or  
19 questions?

20           ACTING COMMISSIONER MILLER: Thank you, Madam  
21 Chair. Just also congratulations. And I do love the  
22 community input that's included in the strategic plan,  
23 including the pictures and everything, from the work we do  
24 with the ports, to people really enjoying our State lands.  
25 I think it's really special.

1           And I do especially like the understanding of the  
2 challenges ahead. And I love the fact that we're  
3 including not only reimagining our workforce, but kind of  
4 within that making sure that the entire community sees  
5 themselves within the strategic plan. I think that was  
6 really incredibly difficult to do and I think accomplished  
7 really well. So congratulation to the whole team.

8           CHAIRPERSON KOUNALAKIS: Thank you.

9           Grace, do we have any public comments? And if  
10 anyone would like to comment, please raise your Zoom hand  
11 now.

12           LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

13           Thank you, Madam Chair. Our first commenter on  
14 Item 41 will be Jennifer Savage followed by Tom Rudolph.

15           CHAIRPERSON KOUNALAKIS: Please proceed.

16           MS. SAVAGE: Thank you. Sorry. The timing is  
17 always so weird with Zoom. Good afternoon. Again,  
18 Jennifer Savage, Surfrider Foundation.

19           First of all, we commend staff for the  
20 development of the draft strategic plan, particularly in  
21 light of last year's singular challenges. And we  
22 appreciate the Commission's ongoing commitments to public  
23 access, resource stewardship, and environmental justice as  
24 described in the plan.

25           Listening to the list of accomplishments read



1 during the presentation, I am struck again by how vast the  
2 Commission's work is and how consistently staff excels at  
3 accomplishing that work.

4 With that in mind, we still do ask for one  
5 addition to the draft strategic plan. We outline this in  
6 a letter that we submitted. It's not even really in  
7 addition, so much as a return of language that was used  
8 before. Primarily, we're still concerned by the lack of  
9 mention of the state's marine protected area network. The  
10 Commission's stewardship role was explicitly referenced in  
11 the 2016-2020 strategic plan within the Public Trust  
12 section. And we just strongly urge you to incorporate  
13 that language into this guiding document as well.

14 The increased efforts to preserve biodiversity  
15 through Governor Newsom's 30 by 30 Executive Order and the  
16 potential inclusion of the network on the IUC -- IUCN  
17 Green List underscore the importance of California's  
18 marine protected areas, but their success depends on  
19 thoughtful management. And this includes consideration of  
20 the MPA network and individual MPAs during the  
21 Commission's planning and leasing practices. We,  
22 therefore, encourage you to add language reflecting this  
23 into the new strategic plan.

24 And finally, we congratulate the Commission and  
25 the staff for all your accomplishments over the past four

1 years. The Commission's dedication to public access  
2 equity, the prevention of oil spills off our coast,  
3 preserving our beaches by embracing proactive climate  
4 change adaptation principles is well documented.

5 We look forward to supporting the Commission's  
6 ongoing stewardship of our shared Public Trust Lands into  
7 the future.

8 Thank you.

9 CHAIRPERSON KOUNALAKIS: Thank you.

10 Grace, may we please have the next speaker.

11 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

12 Thank you, Chair.

13 We will start with Tom Rudolph followed by  
14 Sabrina Brennan.

15 MR. RUDOLPH: Good afternoon, Chair Kounalakis  
16 and members of the Commission. My name is Tom Rudolph and  
17 I'm here representing the Pew Charitable Trusts.

18 Can you all hear me okay?

19 CHAIRPERSON KOUNALAKIS: Yes, we can.

20 MR. RUDOLPH: Okay. Thank you. On behalf of  
21 Pew, I want to say thanks to you and to all the Commission  
22 staff and contractors that worked so hard to develop this  
23 new strategic plan and to offer our support for its  
24 adoption today. In particular, I want to thank you all  
25 for incorporating our request to commit Commission time

1 and effort to consideration of changes to your policies  
2 and regulations on seabed mining for hard minerals.

3 Over the past year, we've greatly appreciated the  
4 Commission's willingness to devote time and attention to  
5 our concerns about marine mining and our recommendation  
6 that the Commission move assertively to safeguard the  
7 marine ecosystem by withdrawing submerged lands from the  
8 mineral leasing program.

9 We were proud to join 20 other organizations on a  
10 letter submitted earlier this month expressing support for  
11 the draft of the new strategic plan and its proposed  
12 approach to addressing concerns about seabed mining.  
13 We're pleased that the Commission has envisioned and  
14 committed to convening a dialogue with other agencies,  
15 with stakeholders, and with California tribes to examine  
16 broader issues of extractive and renewable uses of State  
17 Lands in the context of the Public Trust Doctrine and that  
18 this review will encompass next steps in your  
19 consideration of seabed mining reform.

20 We want to offer our wholehearted support for the  
21 Section 4A collaborative dialogue and we very much look  
22 forward to participating.

23 In conclusion, this new strategic plan is  
24 thoughtful and responsive and I sincerely congratulate you  
25 on your successful efforts to develop it during a year of

1   unprecedented challenges. We support approval of the plan  
2   today and thank you again for the opportunity to  
3   participate in its development.

4           CHAIRPERSON KOUNALAKIS: Thank you.

5           Grace, will you please call our next speaker.

6           LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

7           Thank you, Chair.

8           Our next speaker is Sabrina Brennan.

9           CHAIRPERSON KOUNALAKIS: Ms. Brennan, are you  
10   there?

11          MS. BRENNAN: Sorry about the delay. I just got  
12   the unmute message.

13          CHAIRPERSON KOUNALAKIS: Okay.

14          MS. BRENNAN: I'm here. So Sabrina Brennan  
15   representing Surf Equity and Sport Equity. Very impressed  
16   with this plan. It's outstanding. And I have looked at a  
17   lot of strategic plans and I think this one is one that  
18   many public agencies in California should be aware of,  
19   because it may help them with their strategic planning  
20   process. Also, I wanted to say that we're thrilled with  
21   key priorities that include social, economic, and  
22   environmental justice, as well as inclusive management.  
23   And the addition of public health and safety as a core  
24   value is timely and necessary.

25          So I definitely want to thank everybody that was

1 involved with creating this plan and I look forward to  
2 reading it in more detail in the future.

3 And I did also want to support the request of  
4 Surfrider regarding the MPAs. So I did think that was a  
5 really valuable comment.

6 And I just really appreciate the work that your  
7 staff has done and the work of the Commission.

8 Thank you very much.

9 CHAIRPERSON KOUNALAKIS: Thank you.

10 Grace, can you please call the next speaker.

11 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

12 Yes. Our next speaker is David Helliwell.

13 CHAIRPERSON KOUNALAKIS: Mr. Helliwell, please  
14 proceed.

15 EXECUTIVE OFFICER LUCCHESI: He may need to  
16 unmute himself.

17 MR. HELLIWELL: Can you hear me?

18 CHAIRPERSON KOUNALAKIS: We can hear you now,  
19 yes.

20 MR. HELLIWELL: Okay. I think may have raised my  
21 hand at the wrong time, because I'm going to speak I  
22 believe on Item 10 about RTI.

23 CHAIRPERSON KOUNALAKIS: Yes, that's a different  
24 item. Could you please raise your hand when that item  
25 comes up for public comment?

1 MR. HELLIWELL: I will. Thank you very much.

2 Sorry to bother you.

3 CHAIRPERSON KOUNALAKIS: Thank you. No problem.

4 Grace, anyone else in line to speak?

5 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

6 Chair, we have no other hands raised at this  
7 time.

8 CHAIRPERSON KOUNALAKIS: Okay. May I have a  
9 motion to adopt staff's recommendation and a second.

10 Commissioners, please raise your hand in Zoom, if you'd  
11 like to make a motion or a second.

12 COMMISSIONER YEE: I proudly move the item, Madam  
13 Chair.

14 CHAIRPERSON KOUNALAKIS: I think that that is  
15 appropriate. We have a motion by Commissioner Yee --

16 ACTING COMMISSIONER MILLER: (Raised hand.)

17 CHAIRPERSON KOUNALAKIS: -- and a second by  
18 Commissioner Miller.

19 Ms. Lucchesi, please conduct a roll call vote.

20 EXECUTIVE OFFICER LUCCHESI: Yes.

21 Commissioner Yee?

22 COMMISSIONER YEE: Aye.

23 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

24 ACTING COMMISSIONER MILLER: Aye.

25 EXECUTIVE OFFICER LUCCHESI: Madam Chair?

1 CHAIRPERSON KOUNALAKIS: Aye.

2 EXECUTIVE OFFICER LUCCHESI: The motion passes  
3 unanimously. Thank you.

4 (Applause.)

5 CHAIRPERSON KOUNALAKIS: Okay. Item 42 is to  
6 hear presentations -- and one more time, congratulations,  
7 everyone. The State Lands Commission now has a strategic  
8 plan.

9 Item 42 is to hear presentations by the Ports of  
10 San Francisco, Oakland, Los Angeles, Long Beach, and San  
11 Diego on their COVID-19 pandemic response.

12 Ms. Lucchesi, may we please have the  
13 presentations.

14 EXECUTIVE OFFICER LUCCHESI: Yes. I will just  
15 provide a brief introduction, while we're pulling up the  
16 first PowerPoint presentation by the Port of Oakland and  
17 their Executive Director, Danny Wan.

18 I know that as soon as the pandemic broke out  
19 last year and the State started mobilizing to respond, I  
20 quickly became impressed by how all of our ports with  
21 their own unique situations, with their unique expertise,  
22 geographic locations, and unique assets quickly mobilized  
23 to help their regions and the state as a whole. And I  
24 continue to be impressed by their operations to this day.

25 And I thought it was important in collaboration

1 with Chair Kounalakis and Commissioner Yee to really hear  
2 the from the ports just in terms of how they were able to  
3 really leverage their teams and their assets to really  
4 make meaningful progress in their response from everything  
5 from helping, you know, the cruise ships arrive safely in  
6 the beginning, to the logistics around the PPE, to really  
7 helping people who were experiencing homelessness stay  
8 safe, and fed, and sheltered, to testing and vaccinations.  
9 And it's just a -- I could go on and on.

10 But we are here to hear directly from the ports,  
11 because I think it's important to hear from them, not only  
12 what they have been through over the last year, but also  
13 any opportunities and challenges that they see in the  
14 years ahead due to the CO -- due to the pandemic.

15 So without further ado, I will turn it over to  
16 Executive Director Danny Wan. Thank you.

17 (Thereupon a slide presentation.)

18 EXECUTIVE OFFICER LUCCHESI: And he should be  
19 promoted as a panelist there. Danny I -- Director Wan, I  
20 think you just need to unmute yourself.

21 There you go.

22 MR. WAN: Good. Thank you. Commissioners and EO  
23 Lucchesi thank you very for this opportunity to talk about  
24 the Port of Oakland and its role in the response to the  
25 pandemic, as well as some of the future challenges. And



1 in this presentation, I will go over some background for  
2 the Port just for the general public, how we're putting  
3 the Trust land in service of the public in many ways, and  
4 then we'll go over what we did during the pandemic, and  
5 then future challenges.

6 So next slide, please.

7 --o0o--

8 MR. WAN: So just an overview. We're a  
9 department of the city and established in 1927 as an  
10 independent department. We have a separate budget from  
11 the city. We have no local tax revenue for annual  
12 operations. And as a landowner, we manage portions of  
13 nearly 20 miles of waterfront from the Oakland Airport to  
14 Jack London Square and the seaport in the City of Oakland.

15 Next.

16 --o0o--

17 MR. WAN: And this is a map rendering of our  
18 entire trust land responsibilities in the City of Oakland  
19 on behalf of the State Lands. And you can see we have  
20 everything from maritime operations to seaport in the  
21 purple, commercial real estate, aviation operations, and  
22 then we have also parks and open space that we provide to  
23 the public as well.

24 And talking about the pandemic response, I need  
25 to point out that we are just not a seaport that got into

1 the act, but also the aviation operations as well.

2 Next.

3 --o0o--

4 MR. WAN: It is important to note that during  
5 this emergency that we still continue to provide 84,000  
6 jobs in the region, supported by combined port activities.  
7 In this economy -- economic crisis, we are proud that we  
8 continue to support about \$5.6 billion of personal income  
9 on local spending and we continue to be the basis of many  
10 taxes -- State and local taxes, to the tune of about \$700  
11 million.

12 So this is not a -- remember, this is not just a  
13 health crisis, but also economic crisis. And I keep  
14 pointing out to our local officials and now to the  
15 Commission that we are also a player in sort of -- in  
16 getting us out of the economic crisis. As I am fond of  
17 saying that we are the economic and jobs engine in the Bay  
18 Area.

19 Next.

20 --o0o--

21 MR. WAN: Of course, our seaport continues to be  
22 operating, humming along right now. We are currently at  
23 about the same level as last year. We -- when the  
24 pandemic started, we saw a fairly significant dip in  
25 volume. But as many other ports have experienced, as

1 consumers needed more personal goods, more appliances, as  
2 they stayed home, and as well as the increased buying of  
3 goods that are imported, that we -- our volume have seen a  
4 steady increase. However lately, we've experienced  
5 congestion. And so the last monthly report, our volume  
6 actually has dipped by a double digit, because -- mainly  
7 because of canceled -- canceled and diverted ship lines  
8 because of the congestion problem that we're experiencing.

9 I think it's something that is unique, however,  
10 with the Port of Oakland, is that we continue to be a 50  
11 percent export port -- about 50 percent of our volume in  
12 export, so that way we are very much a port that the  
13 agricultural Central Valley community depend on to operate  
14 efficiently even through this pandemic. They've  
15 experienced some challenges through this whole period, in  
16 terms of getting enough containers to actually get their  
17 goods exported. And they are also facing the same  
18 challenges everybody else is, which is the uncertainty of  
19 scheduling their container cargo as congestion problems  
20 compound.

21 Next.

22 --o0o--

23 MR. WAN: In terms of our -- of course, this is  
24 an extraordinary year. Officer Lucchesi had mentioned  
25 that this pandemic started, for me, it hit me right on the

1 head with a request from the State to disembark the Grand  
2 Princess cruise ship passengers in the beginning of this  
3 pandemic when nobody was quite sure what it was about.  
4 And there was a great deal of fear in terms of the folks  
5 who were infected on that cruise ship, and whether  
6 allowing them to disembark in Oakland, and what kind of  
7 effect that would be.

8           We overcame that with a lot of good public  
9 information and community building in about two days time  
10 before the ship between the notice and when the ship  
11 actually pulled up. And we had to do a lot of moving  
12 around of our port. Remember, the Port of Oakland is not  
13 a cruise ship port, so we had to sort of jointly solve with  
14 the State and the federal government simple things like,  
15 well, how do you get the passengers off the ship onto the  
16 ground when there's no passenger facilities at the Port of  
17 Oakland, to moving the containers out of that portion of  
18 the land that you see there in about a day's time, 24 hour  
19 notice.

20           And after the ship pulled up is quite a -- what  
21 is it, ten days of trying to figure out logistics from  
22 getting the people off the ship, to how do we set up  
23 medical operations. And the fed -- federal government and  
24 the State government came in and did that quite well.

25           However, then we had to solve the problem about,

1 well, how do we get the people from that dock over to the  
2 airport, which the -- luckily, we had the -- we also  
3 operate the Oakland International Airport in terms of  
4 figuring out how many people need to go where. We had  
5 people going back to locations in California, as well as  
6 the rest of the United States, but also a very -- a lot of  
7 international destinations. We had to figure out how to  
8 get those planes chartered in order to get those folks  
9 onto the plane counting the run -- the number -- the right  
10 number of people, bus them over, and then go through the  
11 airport, which also had its own concerns about protocols  
12 about how to handle the virus, and get the folks onto the  
13 plane, and then coordinating with their destinations,  
14 coordinating with some of the international countries' own  
15 airlines about whether they can provide the airlines, how  
16 big of an airplane.

17           So I am so proud that the Port of Oakland staff,  
18 both on the seaport as well as our health officers, our  
19 emergency responders, as well -- and airport staff really  
20 came up, and stood up, and supported the logistics of  
21 transporting these folks from the ship down to the ground,  
22 through a bus, to the airport, getting on a plane, and  
23 getting off, and even though the federal and State  
24 officials were very good at the medical aspects of it and  
25 also getting the ship into the dock. From thereon, the

1 land logistics really a lot of it fell on the Port.

2 We also, in addition to that, when -- at that  
3 time with masks were quite rare. Around the supply was  
4 short. We managed to con -- get in touch with our  
5 contacts in the shipping and commercial industries and get  
6 the masks shipped to the Port of Oakland. And not only do  
7 we take care of our own dock workers and our employees,  
8 but also donated a lot of masks throughout the community,  
9 at the time when masks were in shortage.

10 So -- but that was not the only emergency. As  
11 you know, the Port of Oakland also faced -- well, I'll  
12 talk about the airport in a little bit, but also faced the  
13 electrical grid shutdown. The Port had to quickly adjust  
14 its energy mix from electricity to other, unfortunately  
15 petrol-based, energy forms, in order to save energy for  
16 the -- to the State grid and we did that, also reacted  
17 quickly.

18 On top of that, as I mentioned, it is also a  
19 budget and economic crisis for the Port. We had seen a  
20 \$60 million downward swing from our budget from our 40  
21 million surplus before the COVID virus to a \$20 million  
22 deficit, all because of the airport.

23 And we can go to the next slide.

24 --o0o--

25 MR. WAN: I think I went through all of that.

1 Transformed maritime. Oakland airport served the hub.  
2 And so we went through all of that bullet points on this  
3 slide. But you can see the -- in the picture that -- the  
4 setup at the -- at the emergency site. And as we all sat  
5 in the emergency looking at the TV broadcast all  
6 throughout the world as to what we were doing.

7 Next.

8 --o0o--

9 MR. WAN: So the budget emergency that we as your  
10 trustee faced during this time came mostly from -- mostly  
11 from the airport side. As you can imagine, the fear of  
12 traveling on the airplane took a drastic toll on the  
13 airport. We joined the early months when the disease  
14 emerged, our passenger load dropped to about 10 to 12  
15 percent of our normal passenger level. You can see that  
16 red dot line, that steep drop.

17 And -- and when we were budgeting for this, we  
18 thought, well, you know, this is unfortunate, but it is  
19 inevitable, but we projected that maybe we will start  
20 having upward trend in passengers by this time frankly of  
21 March of 2021, but unfortunately that has not really  
22 materialized. Our passenger trend still continues to be  
23 really depressed. We are still only at about 30 percent  
24 of normal passenger level and this is quite devastating to  
25 our airport.

1           As you know, the pass -- the airport makes its  
2 revenue from passenger counts, passenger facility fees, as  
3 well as people spending at our concessions, or when the  
4 rental car companies pay their fees as rental cars, or  
5 parking facilities making parking revenues. Those are our  
6 sources of revenue. And they're all dependent on the  
7 number of passengers pass through the airport.

8           And because of that, we saw drastic, like I said,  
9 \$60 million downswing in our budget. And so that has  
10 caused quite a bit of consternation and a whole lot of  
11 budget adjustments and belt tightening measures, including  
12 a freeze on spending and hiring. And our employees -- a  
13 majority of our employees actually did take a furlough of  
14 eight days during that time, and as well as we've  
15 suspended all travel and other things. And we have saved  
16 a lot of money by simply stop spending on a lot of items  
17 that we could put off, but we are going to have additional  
18 repercussions. As we put off this spending on  
19 infrastructure, we're going to have to catch up.

20           Next.

21                       --o0o--

22           MR. WAN: Commercial real estate. Pam Kershaw is  
23 here. Do you want to talk about that a little bit, our  
24 Commercial Real Estate Director.

25           MS. KERSHAW: Sure. Thank you so much for having



1 us here today. And I just have to throw out a shout-out  
2 to the fantastic working relationship that I have  
3 personally had at the Port of Oakland for 20 years now  
4 with your staff, who is just so professional. And I've  
5 grown so fond of many of them, Jennifer, of course, and  
6 Andrew, and Sheri, and Reid. And Grace, I heard you're on  
7 the phone. Nice to even hear you're somewhere in the  
8 room. So thank you. Thank you for being as wonderful as  
9 you've been from my past 20 years working here.

10 But on to the note hand here. Last year, has  
11 kind of told us that we really don't know anything about  
12 what the future holds. And so this kind of pallor of  
13 uncertainty is resting over us. And, you know that we  
14 have a lot of commercial real estate assets that have  
15 suffered as many as anyone else have, right? It's hard to  
16 go to a restaurant. I don't think I -- even though I'm  
17 constantly ordering out, because I'm so tired of making  
18 dinner at my house, I hope I'm not alone in saying that  
19 statement.

20 But it's certainly not what it used to be. We  
21 used to have this shot filled with people. We had over  
22 three million people a year come to Jack London Square  
23 alone, just one of our footprint spots, to enjoy outdoor  
24 festivals and celebrations, all of which are free to the  
25 public, and, of course, visit our restaurants and hotels

1 and other things. And this is a very sad but even sadder  
2 typical shot now on an average day, where we, of course,  
3 have pretty, you know, stringent stay-at-home orders here  
4 in the county we're located in, as I'm sure most of us do  
5 on this call.

6           So we were able to -- thankfully to some of these  
7 State and federal programs to our smallest local tenants,  
8 some of the smaller local owned restaurants in particular,  
9 we were able to secure some PPP loans, which have helped  
10 them float along. And we had a very tailored concession  
11 program for folks for rent relief and deferrals. But  
12 that's really kind of waning thin at this point as you  
13 read all over about businesses closing forever. And it's  
14 a sad thing, as a long-term Oaklander myself, to see that  
15 happen to my town and the place I work at.

16           So we've changed the way we vacation, we shop, we  
17 work, and even how and where we live now as a result of  
18 this disruptive event. And we're not really sure how much  
19 of that is coming back to what it used to be frankly. And  
20 so I guess because of this uncertainty, we're going to  
21 continue to need your indulgence, and support, and  
22 pursuing new flexible ways to use our trust assets, as we  
23 kind of navigate our way out of this, hopefully sooner  
24 rather than later, and get ourselves to some new version  
25 of what is sustainable for us and all of our trust assets,

1 and -- but also serve the Public Trust, which we do take  
2 very seriously. But we know for sure that things won't  
3 look the same as they were.

4 MR. WAN: Thank you, Director Kershaw. And  
5 that's a nice segue to the next point and our final point,  
6 which is what --

7 --o0o--

8 MR. WAN: -- can we do in partnership to really  
9 get through this and looking into the future? As we said,  
10 we acted early in the pandemic to control costs and  
11 stabilize budgets, and including refinancing our port  
12 debt, which was very successful. We did also get some  
13 fund -- federal funding through the CARES Act for the  
14 airport, so that was really helpful, but we are also  
15 moving forward, as Pam says. It just seems like the  
16 lesson is that we have always constantly to be an  
17 emergency provider, and we are playing that role, and also  
18 predicting the future. It caused quite a uncertain task,  
19 as we face multiple challenges that's going to come  
20 forward to us.

21 One of the things that -- one of the areas that  
22 we ask for your partnership, Commissioners, as well as  
23 State Lands staff, and I noticed that in your strategic  
24 plan, one of the things is you want to be a leader in the  
25 climate activism. Certainly, the Port of Oakland and many

1 ports in California have led -- have led in terms of  
2 reduction of air emissions. We are the leader in the  
3 country, and if not the world, in terms of reducing our  
4 emissions and moving towards zero-emissions initiative.

5 One of the things we do ask of the Commission is  
6 that as we move toward that, we need infrastructure  
7 support through funding. And we hope to have partnership  
8 with the State Lands Commission to advocate -- in talking  
9 about activism, to really advocate for funding to be  
10 invested at the State Lands properties versus assets that  
11 may be moved off of our properties to really invest in  
12 your State Lands properties, supporting the electrical  
13 infrastructure, to put in last-mile lines to plug in, and  
14 to also to explore different alternative forms of energy.

15 But we do need funding for that and we need a  
16 coordinated state approach. And we hope that you are a  
17 partner in advocating for a coordinated uniform plan of  
18 funding these infrastructure.

19 I think the last point one I want to make is that  
20 as we go toward facing the future, in terms of how to best  
21 manage the assets of the state, we need flexibility. We  
22 need sort of a view of the world today, that because it is  
23 unpredictable, we need to be nimble to face these  
24 challenges, that we need, as we work with the State Lands,  
25 flexibility in terms of how we use the properties in

1 innovative and creative ways.

2 That might be beyond the sort of traditional  
3 boundaries of Trust use to really see how we can  
4 innovative -- innovate in the ways that we benefit the  
5 state as a whole, while we use our -- maintain our  
6 properties in the State's control and care.

7 So that is our presentation. Thank you very much  
8 for your time and your indulgence. And that is the last  
9 slide of what I just said.

10 Thank you very much.

11 (Laughter.)

12 CHAIRPERSON KOUNALAKIS: Thank you so much,  
13 Director Wan for that great presentation. Thank you and  
14 your team for all of your hard work. I had the  
15 opportunity to engage early on, after you had the  
16 passengers of the Grand Princess, we had another challenge  
17 of repatriating all the crew, most of whom were  
18 international foreign nationals. Very difficult. And  
19 your team was just incredible to work with. And most of  
20 the --

21 MR. WAN: And I want to give a shout-out to you,  
22 Commissioner Kounalakis, because you have been absolutely  
23 very supportive. You've been there since day one in  
24 talking to us, as well as Commissioner Yee. You are the  
25 two of the folks on the statewide scene who has been

1 absolutely supportive and been talking to us all along,  
2 and very appreciate your help with that.

3 CHAIRPERSON KOUNALAKIS: Well, thank you. Thank  
4 you. I believe, Ms. Lucchesi, we will move to San Diego,  
5 is that right?

6 EXECUTIVE OFFICER LUCCHESI: Yes. We will move  
7 to the Port of San Diego. Thank you, Director Wan. Thank  
8 you Pam. It's great to see you both.

9 And as we're promoting President Joe Stuyvesant.  
10 He's the newly appointed Port of San Diego President, as  
11 well as his colleague Jason Giffen. And we'll be pulling  
12 up their presentation shortly. And as we wait for that,  
13 I'll -- I will just say a little note about Joe. We  
14 worked very closely on some very challenging real estate  
15 transactions involving the Navy and the Port during his  
16 previous life working for the Navy. And I certainly  
17 enjoyed that really collaborative problem solving and  
18 solution-oriented relationship when he was with the Navy.  
19 And I have all the faith and confidence that we will  
20 continue that kind of collaboration and coordination in  
21 his new role at the Port of San Diego.

22 And so with that, Joe, if you are on, please take  
23 it away.

24 (Thereupon a slide presentation.)

25 MR. STUYVESANT: Well, thank you, Executive

1 Officer Lucchesi and Commissioners, Chair Kounalakis and  
2 all. Welcome to San Diego. As the Executive Officer  
3 said, I'm Joe Stuyvesant and I appreciate the opportunity  
4 to introduce myself to the Commission as the new  
5 President. I have less than a month on the job. It's an  
6 honor to speak to you today and I look forward to working  
7 with you in the months and years ahead.

8 I'm no stranger to San Diego, as Ms. Lucchesi  
9 mentioned, coming from my former position as Executive  
10 Director of Navy Region Southwest headquartered here in  
11 San Diego. And I'd just like to say that working with  
12 Executive Officer Lucchesi, I found her to be open-minded,  
13 intelligent, and reasonable in her approach to issues, so  
14 I look forward in continuing working with her.

15 I know firsthand the critical value of strong  
16 relationships with our government partners. I come to the  
17 Board during one of the most challenging times. I have  
18 great admiration for my predecessor, Randa Coniglio, and  
19 the Port team for the remarkable work they have done over  
20 the past year.

21 Next slide, please.

22 --o0o--

23 MR. STUYVESANT: Our agency relies 100 percent on  
24 revenue generated along the waterfront and COVID-19 has  
25 taken a devastating toll on the Port and our visitor-

1 serving activities. We've offered rent concessions and  
2 have tightened our belt with a hiring freeze, salary  
3 reductions, and cost-cutting measures.

4           Hotels and restaurants have been severely  
5 impacted. The airport is quiet. And the Convention  
6 Center that once drew crowds of people to the bay, now  
7 serves as a homeless shelter. And we're happy to be  
8 pivoting our resources, like the Convention Center, to  
9 help those who need it the most in the midst of a  
10 pandemic.

11           That said, our lost revenue has exceeded even our  
12 original worst-case scenario, and the Port now expects to  
13 have lost over \$98 million by the end of September. For a  
14 budget that's normally around 200 million, a shortfall  
15 that size creates a challenge in competing our --  
16 completing our missions.

17           While I'm cautiously optimistic that we are  
18 turning the corner in pandemic recovery, thanks to the  
19 hard work of the Governor and our county supervisors in  
20 getting vaccines into the arms of Californians,  
21 significant damage has been done to our fiscal  
22 capabilities.

23           We have been working with Speaker Pelosi's office  
24 to include federal assistance to ports in the form of  
25 transfer language in the pending COVID relief package, and



1 we'd appreciate your support in helping that aid reach us  
2 when it finally arrives to the state. It is critically  
3 important to us, because we have received no federal,  
4 State, or local financial help of any type to date.  
5 During the pandemic, it's easy to see the challenges, and  
6 anyone can do that. They are big and hard to miss.

7 But there are also opportunities for us to come  
8 together to solve problems and hopefully come out better  
9 on the other side, whether it's opening the Convention  
10 Center for those who need a safe place to sleep or  
11 longshoremen putting themselves at risk to keep maritime  
12 trade and military cargo moving, the Port of San Diego is  
13 stepping up in this time of need.

14 As an environmental champion, the Port is  
15 developing a maritime clean air strategy, MCAS, to  
16 identify projects that will reduce emissions and improve  
17 air quality. The Port has taken a leadership role by  
18 using the MCAS to partner with our tenants and terminal  
19 operators in transitioning to zero and near-zero  
20 technologies.

21 We are ready to lean in aggressively, but we will  
22 need your advocacy as we work with various State agencies  
23 like PUC, CARB, Coastal Commission, and CEC as we work to  
24 become a greener port. And I echo the comments made by  
25 Danny Wan on infrastructure support.

1 I'd like to say congratulations on the approval  
2 of an impressive strategic plan. We appreciate your role  
3 of convener and advocate for your Public Trust agents. In  
4 the coming months and years ahead, your advocacy will  
5 facilitate electrification and clean air strategies.

6 Thank you for inviting us here today and for  
7 giving us a chance to speak to you. I look forward to  
8 working with you and coming up to Sacramento to meet you  
9 in person, as soon as conditions permit.

10 I'd like to now introduce Jason Giffen, the  
11 Port's Vice President of Planning, Environment, and  
12 Government Relations, who will provide some additional  
13 highlights of port initiatives.

14 Thank you.

15 MR. GIFFEN: Thank you very much, Joe and thank  
16 you, Madam Chair and Commissioners. It's a pleasure to be  
17 joining you all today for this -- today's discussion and  
18 to share a closer look at ports and the important roles we  
19 serve for California and our region.

20 Next slide, please.

21 --o0o--

22 MR. GIFFEN: Partnerships have always proved  
23 valuable for us in San Diego, but perhaps never been more  
24 important than now. Controller Yee, Commissioner Yee and  
25 Ms. Lucchesi saw our partnership in action during their

1 visit to San Diego in November. In these photos, they're  
2 seen touring the San Diego Convention Center that  
3 President Stuyvesant just mentioned, which is serving as a  
4 temporary homeless shelter providing front-line services  
5 throughout the pandemic.

6 As Joe outlined, historical revenue shortfalls  
7 have turned our green port's operating budget a new shade  
8 of red. And our board acted very quickly to reduce  
9 expenses across the board and iteratively revise revenue  
10 forecasts as shutdowns continue to drain resources away.

11 The majority of the operating revenue losses are  
12 in the hospitality and visitor-serving business lines of  
13 hotels, cruises, and restaurants as half of Southern  
14 California's cruise ship berths are in San Diego. And  
15 with the shutdown of the industry and restrictions on  
16 tourism, those lessons -- those losses will worsen.

17 Until the San Diego Convention Center reopens to  
18 large gatherings and cruises resume, the district will  
19 continue to lose 14 million in associated operating  
20 revenues per quarter.

21 Madam Chair and Commissioners, this is our most  
22 critical moment since the district was created in 1962.  
23 And to date, the Port of San Diego has not received  
24 federal relief. As you heard President Stuyvesant  
25 explain, we will need State Lands hands-on assistance and

1 advocacy to ensure federal stimulus dollars make it  
2 through to us.

3           Despite these unusual times, and looking to a  
4 more optimistic side under these circumstances, we  
5 continue to drive solutions towards some of our most  
6 pressing problems, including sea level rise, addressing  
7 climate change and air quality, equity for disadvantaged  
8 communities that have long lived next door to the port,  
9 and facilitating blue technology solutions that bring  
10 innovators to clean our bay and develop scientific answers  
11 to practical problems.

12           Next slide, please.

13                           --o0o--

14           MR. GIFFEN: Next, I just want to highlight some  
15 efforts underway that we've been leading on during this  
16 pandemic. As shown here, EConcrete, a sustainable  
17 solution now being deployed by local contractors providing  
18 local work in our north bay will demonstrate how  
19 traditional shoreline protection, which account for about  
20 75 percent of our shoreline in San Diego, could yield to  
21 nature-inspired shoreline solutions that protect both our  
22 important coastal assets, infrastructure, and Public  
23 Trust, as well as enhancing ecological value.

24           The Port is creating pathways for innovation like  
25 this through the Port's own Blue Economy Incubator.

1 Similarly, we are collaborating with our friends at the  
2 Coastal Conservancy and U.S Fish and Wildlife Service to  
3 establish a native -- a native oyster reef living  
4 shoreline in the south bay to support coastal resiliency,  
5 and nature-based strategies, and water filtration.

6 Next slide, please.

7 --o0o--

8 MR. GIFFEN: To touch on mobility and clean air  
9 efforts underway, we're advancing Harbor Drive 2.0, a  
10 multimodal corridor project that reduces transportation  
11 impacts on neighboring communities adjacent to our working  
12 waterfront. The Port is planning this project with  
13 regional stakeholders to streamline goods movement between  
14 our cargo terminal and the freeway, and reduce emissions  
15 from idling trucks. A complementary effort, as President  
16 Stuyvesant pointed out, is our Maritime Clean Air  
17 Strategy, that is building on our conversations with our  
18 portside communities to create tangible and actionable  
19 steps we can take to improve quality of life by addressing  
20 environmental impacts adjacent to our working waterfront.

21 We touched on these projects as well as others in  
22 our -- in some of our past letters to you on the State  
23 Lands Commission's Strategic Plan. So congratulations  
24 again on passing that today.

25 As well as other public assets we're bringing to

1 the fight, here's a few -- to the fight related to COVID,  
2 here's a few more:

3 Keeping public facilities and amenities open and  
4 operating, including our 22 parks, two marine terminals,  
5 piers, boat launches, and many more; ensuring public  
6 safety, including our law enforcement, maritime  
7 firefighting, aviation safety, as well as combating  
8 illegal trafficking; upholding environmental quality for  
9 our air, land, and water; and keeping the development  
10 process open for business.

11 Next slide, please.

12 --o0o--

13 MR. GIFFEN: We are standing by our workers and  
14 our tenants to make our district truly special. Their  
15 lives and livelihoods are part of our public mission.  
16 Today, the Port needs stabilization to remain economically  
17 resilient, an environmental champion, and be ready to help  
18 with recovery for our region and beyond.

19 We're grateful for the partnership with the State  
20 Lands Commission as local trustees, and we have learned a  
21 lot, but we have learned mostly that working together we  
22 will succeed together.

23 Thank you very much. That concludes our  
24 presentation.

25 CHAIRPERSON KOUNALAKIS: Thank you.

1           Ms. Lucchesi, would you like to wrap-up any  
2 comments on the Port of San Diego presentation before  
3 moving on to Port of L.A.?

4           EXECUTIVE OFFICER LUCCHESI: Yes. I would just  
5 like to thank them for their presentation and for  
6 participating today. And I really look forward to all the  
7 good work that we'll do together over this next year and  
8 beyond.

9           Thank you.

10          CHAIRPERSON KOUNALAKIS: And maybe -- maybe I'll  
11 just add, because I have enjoyed many of the restaurants  
12 and facilities down at the Port of San Diego that  
13 passengers on cruise ships that dock there are typically  
14 enjoying, and my heart breaks for all of the businesses  
15 who are struggling to get through. There is some relief  
16 for small businesses, a great deal of it, in this year's  
17 budget. So I hope that you're able to access information  
18 about those programs, and grants, and get them to your  
19 tenants.

20          And let me just also say that California will  
21 still be here. We'll still be a great destination for  
22 tourism as soon as we're through this. And so helping  
23 those businesses bridge the gap until we can make it into  
24 a more normal existence, and welcome back visitors from  
25 around the world.

1 MR. STUYVESANT: Thank you, Madam Chair. We  
2 agree.

3 CHAIRPERSON KOUNALAKIS: All right. And we're  
4 moving on next to the presentation from the Port of L.A.,  
5 Los Angeles, is that right?

6 EXECUTIVE OFFICER LUCCHESI: That is correct.  
7 And I'd love to introduce Deputy Director David Libatique  
8 and his colleague Avin Sharma.

9 And their presentation will be pulled up.

10 MR. LIBATIQUE: Thank you --

11 CHAIRPERSON KOUNALAKIS: David, go ahead.  
12 (Thereupon a slide presentation.)

13 MR. LIBATIQUE: Thank you so much.

14 Good afternoon, Madam Chair, Commissioners,  
15 Executive Officer Lucchesi, and State Lands staff. Gene  
16 Seroka could not be here. I am David Libatique, Deputy  
17 Executive Director of the Port of Los Angeles. And I am  
18 joined by Avin Sharma, Director of Labor Relations and  
19 Workforce Development.

20 Thank you for offering this opportunity to  
21 provide a report on the Port's contributions to the  
22 state's COVID-19 response and discuss related economic  
23 impacts. While these are two highly related issues, I  
24 will focus my comments on describing the supply chain  
25 impacts of the pandemic and Mr. Sharma will discuss our



1 COVID-19 response.

2 From the start of the pandemic, our first  
3 priority was to keep cargo moving. This was neither easy  
4 nor automatic. It was thanks in large part to longshore  
5 labor and our terminal operators who quickly adopted new  
6 cleaning protocols so that terminals remained open. And  
7 throughout the pandemic, we're happy to report the port  
8 has remained fully operational.

9 Next slide, please.

10 --o0o--

11 MR. LIBATIQUE: Still, 2020 was one of the most  
12 erratic and unpredictable years in recent memory. We  
13 experienced huge shocks to global trade. In early 2020,  
14 China halted factory production to control the pandemic.  
15 Then, there was a drop in U.S. consumer activity as  
16 America shutdown its economy. The maritime shipping  
17 industry responded with a large number of canceled  
18 sailings.

19 As you can see, port volumes plummeted by 19  
20 percent in the first half of 2020. This had a jobs  
21 impact. By August, the complex had 234,000 fewer  
22 longshore shifts year-to-date than at the same point in  
23 2019. But in the second half of the year, Chinese  
24 manufacturing resumed, and U.S. retailers started to  
25 replenish depleted inventories. Consumer demand for goods

1 more than rebounded. Driven by a shift in personal  
2 consumption expenditure from services to goods, we are  
3 seeing an unprecedented surge in cargo volumes.

4 Next slide, please.

5 --o0o--

6 MR. LIBATIQUE: Under the weight of this surge,  
7 the overall supply chain has been strained. Warehouses  
8 are full. Terminals are packed. And since late last  
9 year, we have seen a steady climb in the number of ships  
10 at anchor outside San Pedro Bay. As of this morning, 48  
11 ships at anchor, including 32 container ships.

12 In normal time, when an import container is  
13 picked up at the port, it takes three days for that  
14 container to be devanned and returned to the port as an  
15 empty container. Presently, the cycle is taking about ten  
16 days. As a result, the system as a whole is experiencing  
17 a shortage of containers and chassis. The container  
18 shortage has knock-on effects. As emptied or prioritized  
19 to cycle back to Asia in order to pick up the next round  
20 of imports, we are seeing impacts on our agricultural and  
21 manufacturing exports.

22 With that, please advance to the next slide and  
23 I'll pass the presentation on to my colleague Director  
24 Sharma.

25 --o0o--

1           MR. SHARMA: Thank you, David. Good afternoon,  
2 Madam Chair and Commissioners. My name is Avin Sharma and  
3 I'm the Director of Labor Relations and Workforce  
4 Development at the Port of Los Angeles. I'm also a board  
5 member on the California Workforce Development Board.  
6 This afternoon, I'll quickly cover four areas that address  
7 what the Port has done in response to the COVID-19  
8 pandemic.

9           First, as you recall, almost a year ago, local,  
10 State, and federal officials were moving quickly to put in  
11 place stay-at-home orders that -- and other guidelines  
12 that specifically identified and defined essential  
13 workers. David, and our colleague Jennifer Cohen, our  
14 Director of Policy and Leg Affairs, worked closely with  
15 officials to make sure that supply chain workers were  
16 included in all the definitions of essential workers.

17           And what we really had to emphasize that it  
18 wasn't just longshore workers, but for example mechanics  
19 that repair the large and complex cargo handling  
20 equipment, port workers that work inside the terminal  
21 offices, truck drivers, and all the ancillary related  
22 industries to trucking as the movement of cargo was so  
23 critical at that time.

24           Second, almost immediately, at the start of the  
25 pandemic, thanks to generous donations from organizations

1 like Operation U.S.A. and companies such as Harbor Freight  
2 Tool, we were able to donate masks and gloves to your  
3 various essential workers at the port.

4 In another example, right in March, we learned  
5 that there was a shortage of cleaning solution to our  
6 terminals and they weren't able to properly clean the  
7 thousands of pieces of cargo handling equipment at the  
8 ports of Los Angeles and Long Beach. We at the Port of  
9 L.A. worked closely with the Los Angeles Department of  
10 Water and Power, and LADWP provided us with tubs of  
11 industrial strength bleach. Our construction and  
12 maintenance teams at the port with able to safely dilute  
13 that down into and -- cleaning solutions, which we bottled  
14 ourselves at the port and immediately got out to the  
15 terminals, so that they were able to safely clean cargo  
16 handling equipment and work stations.

17 Third, in addition, from March 27th to May 15th,  
18 2020, the Port of Los Angeles had the honor of hosting the  
19 U.S. Navy Hospital Ship Mercy. The ship's mission was to  
20 support our area hospitals by treating non-COVID related  
21 patients, so as to relieve the pressure on our hospitals  
22 in Southern California. We're all incredibly grateful for  
23 all the work the men and women aboard the Mercy did for  
24 our -- for our communities and our hospitals in Southern  
25 California.

1           Lastly, I wanted to spend a couple minutes just  
2 talking about our successful initiative, Logistics Victory  
3 Los Angeles. Right at the start of the pandemic, L.A.  
4 Mayor, Eric Garcetti, tapped our Executive Director, Gene  
5 Seroka, with the additional role in addition to being the  
6 Executive Director at the port, he also became the Chief  
7 Logistics Officer for the City of Los Angeles. Utilizing  
8 the port and the expertise of the Port staff, we were  
9 tasked with Gene's appointment with also working to make  
10 sure our health care workers had all the supply of PPE  
11 that they needed.

12           We were all familiar with the images from  
13 hospitals on the east coast with hospital health care  
14 workers not having the adequate PPE. So working with two  
15 dozen port employees who volunteered their time, along  
16 with procurement experts in the city's General Services  
17 Department, the Office of Finance, the Los Angeles City  
18 Attorney's Office, we created Logistics Victory Los  
19 Angeles, or as we call it LoVLA.

20           With over 200,000 unique customers that utilize  
21 the Port of Los Angeles each year, we used the existing  
22 relationships that we had to identify trusted and reliable  
23 sources to acquire PPE. For example, we entered into an  
24 arrangement with the Honeywell corporation to purchase 24  
25 million NIOSH certified N95 masks over a 24-month period

1 for a cost of \$0.79 a mask.

2 With our program when we purchase PPE, we turn  
3 around and provide that product at that exact price we  
4 purchased to the hospitals with no markup. This slide  
5 here mentions five million. I just checked our report,  
6 before joining this call, and as of just a short time ago,  
7 we had provided 5.8 million units of PPE to nearly 40  
8 hospitals and 170 skilled nursing facilities across  
9 Southern California.

10 Lastly, thanks to generous donations, LoVLA has  
11 also provided PPE items to essential workers throughout  
12 the supply chain from dock workers at the ports all the  
13 way out to the farm workers in the fields here in  
14 California. Last summer, as I'm sure all of you remember,  
15 there was the dual challenges of COVID-19 and the terrible  
16 air quality as a result of the smoke from our -- the  
17 wildfires that were up and down the state. I worked  
18 closely with Teresa Romero, the President of the United  
19 Farm Workers, and was able to provide 75,000 N95  
20 respirator masks for free to farm workers working on farms  
21 in the Centra Coast and the Central Valley. Her staff  
22 came and picked up the masks on a Thursday afternoon,  
23 drove them immediately up to the Central Cost and were  
24 on -- were being used by farm workers in Salinas on that  
25 next Friday morning.

1           So those are just some of the examples of how the  
2 Port of L.A. has worked directly to support our goods  
3 movement workforce, our port community, and our state  
4 during these challenging times.

5           And I'll turn it back over to David.

6           MR. LIBATIQUE: Thanks, Avin.

7           May I have the next slide, please.

8                       --o0o--

9           MR. LIBATIQUE: Looking ahead, we see a need to  
10 ensure a full complement of workers to deal with the cargo  
11 backlog, so we recommend expedited vaccination for  
12 waterfront workers. Also, ports have been passed over in  
13 COVID relief packages, so we recommend advocating for  
14 federal funding towards the Maritime Transportation System  
15 Emergency Relief Program in order to support ports and  
16 their tenants, especially those hardest hit and those that  
17 are heavily reliant on waterfront commercial and tourism.

18           We also hope we can work toward -- together  
19 towards advocating for more investment in our ports here  
20 in California. Federal investment in west coast ports has  
21 trailed investment in other coasts by a factor of ten to  
22 one. That's over the past ten years.

23           Finally, we hope that a competitiveness dialogue  
24 can be initiated in California. The long-term viability  
25 of these state assets hinges on our ongoing

1 competitiveness and system resiliency. The last time we  
2 faced these issues in 2014-15, some of the solutions that  
3 were arrived at at that time have never really been fully  
4 implemented. What's clear, however, is that the supply  
5 chain challenges we face are garnering increased national  
6 attention and will require systemic solutions developed  
7 with input from all stakeholders. We look forward to  
8 working with you on these important issues, and we're  
9 happy to address any questions you have.

10 Thank you.

11 CHAIRPERSON KOUNALAKIS: Thank you very much.  
12 That was excellent. And let me just thank you right off  
13 the top for the incredible work that you all have been  
14 doing. People are always surprised when I tell them that  
15 40 percent of all the containerized goods that come into  
16 the United States come through California's ports. And  
17 the Port of LA and Long Beach together make up the largest  
18 port complex in North America. And so your immediate  
19 response not just to be able to continue to keep the flow  
20 of goods moving and the remarkable bounce back in the  
21 third quarter, but to keep your workers safe, to, more  
22 importantly even, go beyond just your own operations to  
23 help bring PPE to health care workers and essential  
24 workers all over the region, and, of course, working  
25 between the federal and State government to bring the



1 Naval Ship Mercy to Southern California as part of the  
2 immediate response in the early days of the pandemic when  
3 we really did not know how -- how rapidly the disease  
4 would spread, and how many people would end up in the  
5 hospital. So thank you for all of that and for that  
6 excellent presentation.

7 Ms. Lucchesi, do you have any other comments or  
8 do the Commissioners have any questions?

9 Ms. Lucchesi.

10 MR. LIBATIQUE: Thank you very much.

11 EXECUTIVE OFFICER LUCCHESI: I just wanted to  
12 thank David and Avin for their presentation, and for  
13 participating, and just again for the collaborative  
14 working relationship that we have with the Port of LA.  
15 Lots of challenges, but lots of opportunities ahead, and  
16 we look forward to working with Executive Director  
17 Seroka's team in the next year and beyond.

18 And so with that, I'd like to introduce Deputy  
19 Director Dr. Noel -- I'm going to mispronounce your last  
20 name. I'm so sorry -- Hacegaba with the Port of --

21 DR. HACEGABA: You got it right.

22 (Laughter.)

23 EXECUTIVE OFFICER LUCCHESI: -- with the Port of  
24 Long Beach. Welcome.

25 DR. HACEGABA: Thank you very much.

1 EXECUTIVE OFFICER LUCCHESI: Yes. We're pulling  
2 up your PowerPoint right now. Thank you.

3 (Thereupon a slide presentation.)

4 DR. HACEGABA: Well, good afternoon, Madam Chair  
5 and Commissioners. Thank you so much for the opportunity  
6 to address you. And as Executive Officer Lucchesi said,  
7 Noel Hacegaba, Deputy Executive Director in representation  
8 of our Executive Director Mario Cordero. And I want to  
9 thank you for the opportunity to present on our response  
10 to the COVID-19 pandemic. Despite one of the most  
11 disruptive events ever to impact the end-to-end supply  
12 chain, California's ports adapted and responded.

13 Next slide, please.

14 --o0o--

15 DR. HACEGABA: Thanks to our dock workers, truck  
16 drivers, terminal operators, warehouse workers, and all of  
17 our supply chain partners who masked up, went to work, and  
18 kept the cargo moving at our ports. The supply chain kept  
19 moving and supporting our economy. And despite the  
20 disruption of corresponding headwinds, the Port of Long  
21 Beach ended 2020 with our best year on record, as you will  
22 see on the next slide.

23 --o0o--

24 DR. HACEGABA: Our container terminals handled  
25 8.1 container units, representing a year-over-year

1 increase of 6.3 percent. Bu the final tally doesn't  
2 capture the pandemic-induced volatility that we saw during  
3 the year. In the first quarter of 2020, our cargo volume  
4 sustained steep declines as the pandemic halted  
5 manufacturing overseas, effectively paralyzing the supply  
6 chain. And the declines continued through the second  
7 quarter as the pandemic spread to the U.S. impacting  
8 consumer demand.

9 But then in July, as you can see on the chart, in  
10 a sudden shift, we welcomed the start of the strongest  
11 cargo surge in port history that catapulted us to our best  
12 year on record. In short, we went from doom and gloom to  
13 fast and furious on the turn of a dime.

14 Now, how we managed this rapid shift in cargo  
15 while simultaneously responding to the health and safety  
16 needs of our workforce is what I would like to spend the  
17 next few moments of this presentation on.

18 Next slide, please.

19 --o0o--

20 DR. HACEGABA: When the pandemic spread across  
21 Asia, we knew it was just a matter of time before it made  
22 its way to America. So we formed a business recovery task  
23 force in February. And this task force was internal to  
24 the Port of Long Beach. I had the pleasure of leading  
25 this group. Basically, we had a five-part mission: gather

1 and report critical information to the supply chain,  
2 anticipate any operational issues, engage and mobilize  
3 supply chain partners, expedite and prioritize containers  
4 carrying COVID-19 related supplies, and finally,  
5 advocating for ports and goods movement and trade.

6 Next slide, please.

7 --o0o--

8 DR. HACEGABA: As part of that, immediately, we  
9 assumed the role of information facilitator for the supply  
10 chain. We created a site on our webpage dedicated  
11 entirely COVID-19.

12 Next slide, please.

13 --o0o--

14 DR. HACEGABA: As mentioned, we also partnered  
15 with shipping lines, terminal operators, and dock workers  
16 to prioritize and expedite containers carrying PPE and  
17 COVID-19 related supplies. What you see on this screen is  
18 just one of many customers that we assisted in making sure  
19 that their containers made their final destination to  
20 address this pandemic.

21 Next slide, please.

22 --o0o--

23 DR. HACEGABA: We also mobilized to procure and  
24 distribute PPE. Now, this photo that you seen on the  
25 screen for mid-January shows Port of Long Beach staff

1 taking a load of 5,000 masks to our partners at the  
2 International Seafarers Center. The Port also distributed  
3 more than 300,000 masks and other PPE to longshore  
4 workers, terminal operators, truck drivers, and other port  
5 stakeholders.

6 We're very grateful for donated masks from the  
7 U.S. Maritime Administration, as well as the State of  
8 California, and some of our partner companies, such as  
9 Costco Shipping and NEXT Trucking. Our terminal operators  
10 also increased the frequency and intensity of cleaning  
11 efforts and took steps to limit face-to-face interaction  
12 at the terminals. They also added an additional hour  
13 between the first and second shifts to allow for workers  
14 to clean equipment.

15 As an additional step to keep our waterfront  
16 workers safe, we opened a COVID test site in August, which  
17 you will see on the next slide.

18 --o0o--

19 DR. HACEGABA: This site was brought forward by a  
20 partnership between the City and the Port of Long Beach.  
21 It's located within the harbor district to provide easy  
22 success to our waterfront workers. To date, we have  
23 administered over 20,000 COVID tests, which has gone a  
24 long way in helping to test our waterfront workers and  
25 help to keep them safe.

1           Now, as we continue our -- to offer these tests,  
2 we're also working to prioritize our waterfront workers  
3 for the COVID vaccine. Now, thanks to the State of  
4 California, 3,000 doses have been allocated to our dock  
5 workers. Now, The City of Long Beach is coordinating with  
6 the ILWU to administer these doses. It's critical that  
7 continue to do everything we can to vaccinate our  
8 waterfront workers.

9           Now, the pandemic-induced surge also created  
10 operational challenges for our port. In order to provide  
11 immediate relief to your terminals and supply chain  
12 partners, we made 40 acres of vacant land available on a  
13 temporary basis at Pier S for an operation we call STOR,  
14 which stands for the Short-Term Overflow Resource. And  
15 you'll see a picture of that on the next slide.

16                               --o0o--

17           DR. HACEGABA: Now, since October, this site has  
18 served an overflow yard and keeps the distribution and  
19 transload yards fluid. We, as ports, recognize that we're  
20 just part of a broader system. And in order to improve  
21 the flow of cargo, we need to make sure that every segment  
22 along the supply chain is fluid. This operation, this  
23 piece of land helps to facilitate that.

24           Just to give you an example, within days of  
25 opening, we had over a thousand containers on site. And

1 it gives our retail partners greater control and  
2 flexibility in delivering containers to distribution  
3 centers and transload yards across Southern California.

4 In order to provide greater visibility on the  
5 status of inbound containers, we also launched a new  
6 online dashboard called a WAVE, which stand for Weekly  
7 Advanced Volume Estimate. You will see a sample of that  
8 on the next slide.

9 --o0o--

10 DR. HACEGABA: WAVE provides customers and goods  
11 movement stakeholders with forward-looking data that they  
12 need to better cope with surging cargo volumes and other  
13 challenges.

14 Next slide, please.

15 --o0o--

16 DR. HACEGABA: Now, given the unprecedented  
17 nature and impact of the pandemic on our surrounding  
18 community, we also stepped up our efforts to help the most  
19 impacted by the pandemic, including community  
20 organizations. Our award-winning community sponsorship  
21 program provides an effective means for the Port to inform  
22 the community about our programs, projects, and policies.  
23 But it also helps us reach a significant portion of the  
24 diverse communities that need to know about the port and  
25 its impact on Southern California and beyond.

1 Recipients are non-profit organizations across  
2 the south land. They hold programs and events that reach  
3 many members of the community and via sponsorships we're  
4 able to share that in that outreach.

5 In fiscal year 2020, just to give you an example,  
6 our Board of Harbor Commissioners authorized 261 sponsored  
7 events for a total of \$746,195.

8 Of course, in the past, community events were  
9 primarily in-person. Because of the pandemic, community  
10 groups had to pivot and find ways to reach their  
11 audiences, and we, in turn, adapted our program to  
12 continue to reach these audiences in a COVID-safe manner.

13 We've also gone above and beyond to partner with  
14 community organizations. For example, just this past  
15 Saturday, the Port joined with the labor community  
16 services and the Los Angeles Regional Food Bank to hold a  
17 food distribution event within the Harbor District in West  
18 Long Beach. And you'll see an image of that on the next  
19 slide.

20 --o0o--

21 DR. HACEGABA: More than 2,000 families received  
22 50 pounds of food donated by the LA Regional Food Bank at  
23 a COVID site drive-through event. There were more than a  
24 hundred volunteers, include Port Commissioners and staff,  
25 who donated their time to make this food distribution



1 successful.

2           So even as we pivoted to respond to the immediate  
3 needs introduced by COVID, we continue to move our  
4 industry-leading capital improvement program forward,  
5 recognizing the critical need to keep our ports  
6 competitive in the years ahead. Last October, for  
7 example, we completed the replacement of the Gerald  
8 Desmond Bridge which touches all 435 congressional  
9 districts in the U.S. And you see an image of this on the  
10 next slide.

11                   --o0o--

12           DR. HACEGABA: Because of its reach across the  
13 nation and its positive economic impact, we call this  
14 bridge the bridge to everywhere. And I want to thank  
15 personally the Lieutenant Governor for being part of our  
16 virtual grand opening event again.

17           Now, we also move forward with the delivery of  
18 the nation's most advanced container terminal, Long Beach  
19 Container Terminal, which you can see on the next slide.

20                   --o0o--

21           DR. HACEGABA: At completion, which is only  
22 months away, this container terminal will be one of the  
23 cleanest and most advanced terminals in the world, and by  
24 itself, will have the capacity of the fourth largest Port  
25 in the U.S.

1 And finally, as shown on the next slide --

2 --o0o--

3 DR. HACEGABA: -- we're moving forward with our  
4 \$870 million Pier B On-Dock Rail Support Facility, which  
5 will be instrumental in helping us move more containers to  
6 the largest consumer markets in the U.S. directly on rail.

7 You'll see an image of this here. Now, each of  
8 the projects raise the bar in efficiency and  
9 sustainability and they're also significant job  
10 generators. As you can see, even during the pandemic, we  
11 remain bullish about the future and continue with our  
12 industry-leading capital investment program.

13 In closing, ports are massive economic engines.  
14 In Long Beach alone, port activity generates one out of  
15 eight jobs, more than 500,000 across Southern California,  
16 and two million jobs across the nation.

17 Goods movement, as I like to say, is literally  
18 the economy in motion. This is why we see a role in  
19 supporting the state's economic recovery. We see  
20 opportunities to support the state's economic development  
21 efforts by leveraging the growth of E-commerce, for  
22 example, the evolution of digital platforms, the demand  
23 for U.S. exports, and the need to support workforce  
24 development.

25 So with this, Commissioners, again thank you for

1 the opportunity to provide this presentation. Thank you  
2 for your leadership in support of our ports. We do look  
3 forward to collaborating with you and to continue  
4 advocating for our ports at all levels of government to  
5 ensure that we're maximizing the economic and social  
6 benefits of these critical public assets.

7 Thank you very much.

8 CHAIRPERSON KOUNALAKIS: Thank you very much, Dr.  
9 Hacegaba. Did I get it?

10 DR. HACEGABA: Very close. Hacegaba.

11 CHAIRPERSON KOUNALAKIS: Hacegaba. Thank you for  
12 that great report. You did a wonderful job really  
13 illuminating the incredible importance of healthy ports to  
14 California, to our economy, to our workers, to the  
15 communities around them. So thank you very much for that  
16 great presentation.

17 Ms. Lucchesi, I think that we need to take a  
18 short break, is that correct?

19 EXECUTIVE OFFICER LUCCHESI: Actually, we can get  
20 through the next presentation by the Port of San Francisco  
21 and then we'll take a short five minute break for our  
22 court reporter.

23 CHAIRPERSON KOUNALAKIS: Okay. And then will  
24 there be time for Commissioners to ask questions at the  
25 end of that?

1 EXECUTIVE OFFICER LUCCHESI: Oh, definitely, yes.  
2 We'll conclude this item. If it's okay with you, we'll  
3 conclude this item including comments and any by the  
4 Commissioners or any public comments --

5 CHAIRPERSON KOUNALAKIS: Okay.

6 EXECUTIVE OFFICER LUCCHESI: -- and then we'll  
7 take a break.

8 CHAIRPERSON KOUNALAKIS: Okay. Wonderful. So up  
9 next, go ahead Ms. Lucchesi.

10 EXECUTIVE OFFICER LUCCHESI: Yes. So as we are  
11 pulling up the presentation for the Port of San Francisco  
12 and introducing Randy Quezada, I'd like to remind the  
13 Commissioners a year ago, we were in Long Beach for our  
14 Commission meeting at the civic -- at the newly  
15 constructed civic center and hearing from the Port of Long  
16 Beach about their climate change and sea level rise  
17 initiatives. And so I just wanted to thank the Port of  
18 Long Beach for participating once again today. Last year,  
19 at this time, seems like decades ago and just yesterday as  
20 well.

21 So with that, I'll introduce Randy Quezada with  
22 the Port of San Francisco for our final Port presentation.

23 Welcome, Randy.

24 (Thereupon a slide presentation.)

25 CHAIRPERSON KOUNALAKIS: Randy, are you there?

1 MR. QUEZADA: Good afternoon, Madam Chair,  
2 Commissioners, Executive Officer Lucchesi, Commission  
3 staff, and members of the public. Thank you for the  
4 opportunity to provide a brief overview of the Port of San  
5 Francisco's efforts to support the City and County of San  
6 Francisco's response to the ongoing COVID-19 pandemic. I  
7 am Randy Quezada, Communications Director for the Port of  
8 San Francisco. And I'll just give a very quick background  
9 on the Port of San Francisco and then get into the  
10 presentation.

11 The Port of San Francisco oversees seven and a  
12 half miles of the bayside waterfront in San Francisco from  
13 Fisherman's Wharf in the north to Heron's Head Park in the  
14 south. We're a small boutique port with over 500 tenants.  
15 We have restaurants. We have retail. We have, of course,  
16 maritime operations. But we are home to some of the  
17 region's best loved attractions, including Fisherman's  
18 Wharf, as I mentioned, Pier 39, the Exploratorium, and  
19 Oracle Park. Our operations exports have remained strong,  
20 but cruise - we're home to a cruise terminal. We are a  
21 cruising port - ground to a halt.

22 As you know, about a year ago at this time, the  
23 Grand Princess situation that ultimately was resolved in  
24 partnership between the State, the Port of Oakland and  
25 lots and lots of other partners was initially headed to

1 its home port here in San Francisco. But the pandemic and  
2 the virus had led us down a different path.

3 We were actually expecting a record number of  
4 cruise calls last year. We were expecting a record number  
5 of passengers. But all that didn't come to pass. That  
6 said, I am happy and proud to report on the Port's  
7 response to the pandemic and how we've been able to join  
8 the City's efforts to recover and hopefully, as the  
9 momentum of the vaccines comes around, really turn the  
10 corner on the response.

11 Next slide, please.

12 --o0o--

13 MR. QUEZADA: So the Port really worked hard in  
14 close partnership with the City's COVID command center to  
15 meet this moment. We stepped up and contributed  
16 generously to the City's efforts to stay one step ahead of  
17 the virus from day one and really to keep our community  
18 safe. Our goal was to do everything that we can to ensure  
19 a safe recovery, along with our partners and colleagues in  
20 the city, everyone from our Department of Public Health,  
21 to the Mayor's office, and really every city department  
22 was mobilized to assist in the effort.

23 We've been able to support all aspects of the  
24 effort, ranging from providing for health and wellness  
25 needs, to emergency support services, and economic support

1 for -- for businesses, for our tenants. Port staff and  
2 property have been at the center of the City's response  
3 providing space specifically for testing, emergency  
4 shelter for people experiencing homelessness, emergency  
5 food distribution, and PPE distribution, like so many  
6 other ports across the state.

7 Next slide, please.

8 --o0o--

9 MR. QUEZADA: To date, 75 staff members,  
10 including myself, and our Executive Director have been  
11 deployed to serve as disaster service workers. Some of  
12 our staff have had multiple deployments, dozens more have  
13 been on several tours and assisted in other responses --  
14 response efforts that directly supported the City's  
15 efforts without necessarily being deployed to the command  
16 center for direct assistance.

17 Currently, we have 16 staff that are deployed and  
18 we've supported everything from logistics, to project  
19 management, to communications. When I was deployed, I  
20 served as a public information officer on homelessness and  
21 the City's response to homelessness, and any other wide  
22 range of opportunities and needs that the City  
23 articulated.

24 Next slide, please.

25 --o0o--

1 MR. QUEZADA: The first city test SF COVID-19  
2 testing site opened at -- on the -- at the port at seawall  
3 lot 330 -- or rather Piers 30-32 on April 6th. Site  
4 services were initially limited to frontline and health  
5 care workers, but over time, it has grown to provide broad  
6 access to testing for San Franciscans regardless of  
7 symptoms or exposure.

8 It provides drive-through and walk-through  
9 services and can now accommodate as many as a thousand  
10 appointments per day. Tens of thousands of tests have  
11 been administered at this site from the beginning of the  
12 pandemic. Testing has been invaluable to the City's  
13 overall strategy to slowing the spread of the virus.

14 And if you're familiar with Piers 30-32, you'll  
15 remember that it is this beautiful pier right at the foot  
16 of the Bay Bridge that we usually operate parking. But we  
17 were able to quickly pivot, and port staff was able to  
18 prepare all of the utilities necessary to run a very  
19 successful testing site that actually became the model  
20 for -- for other testing sites. This was the first city  
21 test site and now we have several, including community  
22 based testing sites and services throughout the city.

23 Next slide, please.

24 --o0o--

25 MR. QUEZADA: In addition to providing space for



1 critical testing, we've also been able to work to provide  
2 shelter and support services to vulnerable people  
3 experiencing homelessness, particularly in District 10.  
4 District 10 is in the city's southeast sector and has been  
5 especially hard hit by the virus. And providing a safe  
6 space for unhoused people in the community at the trailer  
7 site has helped to keep everyone in the community safer,  
8 housed and unhoused. That site opened last May. It has  
9 offered shelter to over 150 vulnerable individuals that  
10 otherwise would have been living in encampments, in parks,  
11 and on streets throughout the District 10. The trailer  
12 site is now fully a part of the City's alternative shelter  
13 program.

14 Prior to opening the trailer site at Seawall Lot  
15 344, the Port also approved an amendment to the Port's  
16 existing MOU with the Department of Homelessness and  
17 Supportive Housing to modify operations at an existing  
18 navigation center to allow for adherence with new social  
19 distancing guidelines and to be COVID safe.

20 Similarly, to further bolster the City's capacity  
21 to deal with the ongoing homelessness crisis during the  
22 COVID-19 public health emergency, the Port also approved a  
23 five-year extension for operations at the central  
24 waterfront navigation center, which is near warm water  
25 cove.

1           Next slide, please.

2                       --o0o--

3           MR. QUEZADA: So in addition to providing space  
4 for testing and emergency shelter, our port has also  
5 worked to provide space for emergency food distribution.  
6 As the pandemic wreaked havoc on the local economy and  
7 many lost jobs, it also laid bare the significant food  
8 insecurity issues in our community.

9           Last May, the Giants teamed up with the San  
10 Francisco-Marin Food Bank to open an emergency food  
11 distribution site at Seawall Lot 337, in close  
12 coordination with Command Center. The site is open on  
13 Fridays for drive-through pick-up service and on Saturdays  
14 for walk-in clients to ensure that all who need food have  
15 access. On average, we see about 790 families visit the  
16 site each week. And each week, we are distributing over  
17 41,000 pounds of food.

18          Next slide, please.

19                       --o0o--

20          MR. QUEZADA: And now I wanted to shift gears to  
21 PPE distribution. Last August, the Port began to offer  
22 space to the Office of Economic and Workforce Development  
23 for critical PPE distribution for nonprofit partners. The  
24 partners distribute the life-saving equipment to local  
25 businesses within neighborhoods and communities that have

1 been disproportionately impacted by the virus, ensuring  
2 that essential workers are able to stay on the job and  
3 stay safe.

4           Access to PPE has been and will continue to be a  
5 critical part of the City's ongoing strategy to reining in  
6 the virus. OEWD, the city partner, ordered approximately  
7 1.5 million face masks, 600,000 face shields, and 21,000  
8 gallons of hand sanitizer from Cal OES. About 600 pallets  
9 worth of materials and (inaudible) has already distributed  
10 more than two-thirds.

11           Next slide, please.

12                           --o0o--

13           MR. QUEZADA: The last thing I'd like to add that  
14 the Port's generous tenant relief measures have also added  
15 to the City's overall effort to respond to the economic  
16 consequences of the pandemic. The Port has offered  
17 extensive rent relief to waterfront businesses impacted by  
18 COVID-19, including rent deferral, repayment programs, and  
19 rent forgiveness.

20           The Port's rent deferral program offer tenants an  
21 opportunity to defer rents from March through December.  
22 The repayment program is designed to meet tenants where  
23 they are and allow them to pay down their balance due on a  
24 schedule that works for their business. Similarly, the  
25 rent forgiveness program is tailored to meet the needs of

1 specific port tenants, including our percentage rent  
2 tenor -- percentage rent tenants, our restaurants for  
3 example, our maritime tenants, our qualifying local  
4 business enterprises, and civic impact tenants, our  
5 nonprofits and artists. The Port estimates that we will  
6 forgive up to \$13.65 million in rent.

7 Thank you again for the opportunity to provide  
8 this brief overview of our support for the City's ongoing  
9 COVID-19 response. You know, we're proud to serve and  
10 know that there is much more to be done in the days and  
11 months ahead as we all work together to bring an end to  
12 the pandemic, I look for -- we look forward to, you know,  
13 continuing to work with the Commission. We will need your  
14 partnership, your continued creativity and flexibility as  
15 we move -- as we look forward to being able to turn the  
16 corner.

17 Our port, like several other ports, like all  
18 ports, really depend on revenues generated from our  
19 tenants and from our waterfront operations. And they've  
20 been especially hard hit, especially for us, who depend on  
21 the hospitality and tourism sectors, which have been very,  
22 very hard hit, and may be the last ones to recover, as we  
23 move forward.

24 So we will need your partnership, and your  
25 advocacy, and we look forward to working closely with you.

1 And with that, I will conclude my report.

2 Thank you.

3 CHAIRPERSON KOUNALAKIS: Randy, thank you very  
4 much. As a former San Francisco Port Commissioner myself,  
5 I was very interested, but also very proud to see all of  
6 the hard work of your team and Elaine's team out there to  
7 respond as best as possible.

8 I'm going to ask the Commissioners as well if  
9 they have any questions or comments. I think for  
10 everyone, first of all, let me again say thank you for  
11 coordinating your schedules to be here all together at the  
12 same time. There are a couple of themes that we have been  
13 hearing. Essential work has gone on. And the essential  
14 work of California ports is extremely important to the  
15 California economy. Twenty percent of California's  
16 economy is derived from international trade, from  
17 international tourism, and from foreign direct investment.

18 The networks of transportation, logistics, and  
19 the movement of goods around our ports is extraordinary,  
20 and very often, to many Californians, invisible. And yet,  
21 all of this activity together, again accounts for about 20  
22 percent of our jobs.

23 A couple of things that we've also heard is that  
24 while the containerized shipping continues to move forward  
25 in the case of Long Beach and LA is hitting record goods

1 movement, the elements of port health that have to do --  
2 and resilience that have to do with the tourism industry  
3 are just devastated by COVID-19, whether its's Oakland,  
4 which has the airport, which as we heard flight is down  
5 almost 90 percent, whether it's San Diego or San Francisco  
6 that have incredible tourism sites and cruise ships that  
7 would regularly be coming in that have had their revenues  
8 devastated, it's tough.

9           And so, again, I will point to the budget, which  
10 includes elements of reinvestment and stimulus for our  
11 small businesses. And as we all know, we're waiting for  
12 the federal government to pass what we hope will be  
13 additional stimulus in the American Rescue Act.

14           So the final thing that I'll just say that is a  
15 common element of all of our ports is really the moving  
16 degree to which you all are engaging with your local  
17 community, whether it's food banks, or it's providing PPE  
18 near and far, it is really extraordinary the swift  
19 mobilization of you, your facilities, and your capacities  
20 to help the communities where you serve.

21           So thank you for all of that and thank you for  
22 allowing us to highlight the importance of California  
23 ports. I feel like I'm on a soap box every day, and yet  
24 to be able to do it in this public forum is just really  
25 terrific.

1           So thank you. And with that, I see Commissioner  
2 Yee's hand is up. Commissioner Yee.

3           COMMISSIONER YEE: Thank you, Madam Chair. I  
4 first and foremost also want to add my thanks to all of  
5 our ports in California. And just the extra, extra  
6 measures that they took during this extraordinary time.  
7 You know, so much of what you've just described Madam  
8 Chair is really about just how many livelihoods have been  
9 affected, you know, during this pandemic. And yet, just  
10 what the Port has done, you know, just through its  
11 relationships, whether it's with its tenants, or working  
12 in partnership with so many of their -- so many  
13 organizations with whom they've collaborated over the  
14 years, I think it really underscores how -- how value --  
15 how much value they bring because of those relationships  
16 that they've had, both in terms of the impacts to our  
17 economy and the benefits to our economy, but also the  
18 ability to really respond to the urgent nature of what so  
19 many in their communities are addressing.

20           But I couldn't help but think about a role for  
21 this Commission, you know, as I was hearing from each of  
22 the Port representatives. And certainly I think, as  
23 you've alluded to Madam Chair, the added voice in terms of  
24 advocacy before the federal government, I think, is  
25 something that we certainly can step up on. I have often

1 times thought about, particularly over the years that I've  
2 worked in local government, about how misunderstood our  
3 ports are. And I think it is because so much of what you  
4 do is not, you know, just front and center and kind of  
5 visible.

6 But ports have, for a long time, been considered  
7 the orphans of local government, and yet their reach is  
8 just so global. And I think this is a time now  
9 particularly as they've demonstrated how much they have  
10 really just stepped up, that we certainly, I hope as a  
11 Commission, can lend our voice to any federal advocacy  
12 going forward.

13 So really appreciate all the presentations today  
14 and also offer my thanks to everybody who's just stepped  
15 up during this really great time of need for so many in  
16 your communities, and whether it's food, whether it's  
17 shelter, whether it's just basic health and safety, just  
18 meeting those needs with, you know, just a sense of  
19 urgency, but certainly dedication and commitment.

20 Thank you.

21 CHAIRPERSON KOUNALAKIS: Commissioner Miller, do  
22 you have any questions or comments?

23 ACTING COMMISSIONER MILLER: (Shakes head.)

24 CHAIRPERSON KOUNALAKIS: Back to Jennifer  
25 Lucchesi. Ms. Lucchesi, are we -- do we have any public



1 comments actually on this item?

2 Grace, has anyone lined up to make a public  
3 comment on this item.

4 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

5 Madam Chair, we did have a hand raised from Jake  
6 Mitchell, but that hand has been lowered.

7 CHAIRPERSON KOUNALAKIS: Okay. Then with that,  
8 once again, thank you to everyone from our esteemed ports  
9 for coming today and giving us those detailed  
10 presentations.

11 And I think, Ms. Lucchesi, we are going to break,  
12 is that right?

13 EXECUTIVE OFFICER LUCCHESI: That is correct.  
14 We'll take a five-minute break and maybe return at four  
15 o'clock sharp (inaudible) --

16 CHAIRPERSON KOUNALAKIS: Four o'clock sharp. All  
17 right. All right. Thank you, everyone.

18 (Off record: 3:55 p.m.)

19 (Thereupon a recess was taken.)

20 (On record: 4:01 p.m.)

21 CHAIRPERSON KOUNALAKIS: All right. Are we back?  
22 Okay to resume? All right.

23 EXECUTIVE OFFICER LUCCHESI: Yes.

24 CHAIRPERSON KOUNALAKIS: Moving on to Item 43,  
25 which is to consider sponsoring legislation in the

1 2020-2021 legislative session that would repeal obsolete  
2 school land statutes and recast or modernize other school  
3 land statutes. May we have the presentation.

4 EXECUTIVE OFFICER LUCCHESI: Legislative Liaison  
5 and Chief of our External Affairs Division, Sheri  
6 Pemberton will be providing staff's presentation.

7 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Thank  
8 you Madam Chair and Commissioners. This legislative  
9 proposal that staff recommends the Commission sponsor  
10 would help the Commission generate revenue to support  
11 retired teachers. Specifically, it will provide the  
12 Commission with additional tools to acquire and steward a  
13 category of public lands known as school lands that the  
14 Commission manages to generate revenue for CalSTRS and  
15 facilitate renewable energy development.

16 Several decades ago, the Legislature created a  
17 School Land Bank Fund and designated the Commission as  
18 trustee of the fund. The Commission is tasked with  
19 reinvesting revenue in that fund, which is from previous  
20 land sales that occurred before 1984, to generate revenue  
21 for California teachers.

22 So this proposal would remove some constraints  
23 that make it difficult for the Commission to invest in  
24 this property, or in additional properties. Specifically,  
25 the legislation would clarify that the Commission can pay

1 routine land acquisition costs, such as escrow, appraisal,  
2 title and other costs associated with the land transaction  
3 out of the School Land Bank Fund and remove a five percent  
4 cap on those -- on those costs. The Legislation would  
5 also delegate authority to the Commission's site --  
6 would -- excuse me, would authorize the Commission to  
7 delegate authority to the Commission's Executive Officer  
8 to make non-refundable down payments to purchase property.

9         The reason for this is to allow the Commission to  
10 be on a more level playing field with other participants  
11 in the real estate market. Without the ability to make  
12 down payments in a timely fashion, the Commission may not  
13 be able to effectively invest in property that would be in  
14 the State's best interest.

15         The other couple things that this bill does is  
16 remove some obsolete statutes in the school land statutory  
17 framework and also gives the Commission some more  
18 flexibility in the rare instances where it may sell or  
19 convey school lands to not retain an access easement, if  
20 that would be in the State's best interest. And the  
21 reason for that is we discovered when we conveyed land to  
22 the Lone Pine Paiute Shoshone Reservation last year that  
23 there may be instances where retaining an access easement  
24 may be damaging for important cultural or biological  
25 resources. So we wanted to give the Commission that

1 flexibility to not always have to retain an access  
2 easement.

3 And that's a summary of the provisions of the  
4 proposed legislation. And again, it's intended to give  
5 the Commission more tools, so it can better manage school  
6 lands and better invest the revenue in the School Land  
7 Bank Fund.

8 And that concludes my presentation and I'm happy  
9 to answer any questions.

10 CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.  
11 Pemberton. Commissioner Yee, Commissioner Miller, any  
12 questions on this item?

13 COMMISSIONER YEE: (Shakes head.)

14 ACTING COMMISSIONER MILLER: (Shakes head.)

15 CHAIRPERSON KOUNALAKIS: Okay. Well, thank you  
16 for the detailed work that staff put into this to find  
17 these areas that are outdated, and that can be changed to  
18 allow you to work more efficiently and effectively. Do we  
19 have a motion for this item and a second?

20 COMMISSIONER YEE: I'll move that we -- that the  
21 Commission sponsor legislation as described.

22 ACTING COMMISSIONER MILLER: And, Madam Chair,  
23 I'll be abstaining from this item, please. Thank you.

24 CHAIRPERSON KOUNALAKIS: Okay. Commissioner Yee,  
25 I think you have to hit the raise hand, is that right, for

1 the record?

2 No.

3 EXECUTIVE OFFICER LUCCHESI: No.

4 CHAIRPERSON KOUNALAKIS: No. All right. I  
5 thought that was the new protocol. My apologies.

6 COMMISSIONER YEE: Okay. No problem.

7 CHAIRPERSON KOUNALAKIS: I misread the  
8 information.

9 Okay. Ms. Lucchesi, please call the roll.

10 EXECUTIVE OFFICER LUCCHESI: We actually do still  
11 need a second, Chair?

12 CHAIRPERSON KOUNALAKIS: Oh, I will second.

13 EXECUTIVE OFFICER LUCCHESI: Excellent

14 CHAIRPERSON KOUNALAKIS: And actually, let me  
15 just ask real quick, Grace, do we have any public comment  
16 on this item?

17 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

18 Chair Kounalakis, we have no hands raised for  
19 public comment on this item.

20 CHAIRPERSON KOUNALAKIS: Okay. Ms. Lucchesi,  
21 please call the roll.

22 EXECUTIVE OFFICER LUCCHESI: Certainly.

23 Commissioner Yee?

24 COMMISSIONER YEE: Aye.

25 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

1           ACTING COMMISSIONER MILLER: Abstain.

2           EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

3           CHAIRPERSON KOUNALAKIS: Aye.

4           EXECUTIVE OFFICER LUCCHESI: The motion passes  
5 two to zero with one abstention.

6           CHAIRPERSON KOUNALAKIS: Okay. The next item is  
7 Item 44 to receive an update on State legislation relevant  
8 to the State Lands Commission. May we have the  
9 presentation, please?

10          EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.  
11 Thank you, Madam -- Madam Chair and Commissioners. I'll  
12 keep this brief, given the time constraints. This is  
13 really, at this point, an informational update.

14          As of last Friday, the Legislature has introduced  
15 a little under 2,400 new bills in various categories and  
16 on issues that we think is of interest to the Commission,  
17 climate change, sea level rise, aquaculture, offshore wind  
18 energy, plastic pollution, and changes to open meeting  
19 laws to allow for equitable participation.

20          Our staff will be analyzing these bills in the  
21 coming weeks. We have about 65 bills that we're  
22 monitoring at this moment and then anticipate coming back  
23 to the Commission at our April meeting with  
24 recommendations for specific bills to either support, work  
25 with the author's office on amendments on, or potentially

1 oppose.

2           So we'll do it -- we'll be doing that work in the  
3 coming weeks. And just given the time, I won't go into  
4 specific details on any of the bills, but I'm happy to  
5 answer any questions. And again, the staff report  
6 summarizes the different bills organized by category.

7           CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.  
8 Pemberton. Commissioner Yee, do you have any comments or  
9 questions?

10           Ms. Miller?

11           COMMISSIONER YEE: I do not -- I do not, Madam  
12 Chair. Thank you.

13           CHAIRPERSON KOUNALAKIS: Ms. Miller?

14           ACTING COMMISSIONER MILLER: (Shakes head.)

15           CHAIRPERSON KOUNALAKIS: Grace, do we have any  
16 public comment on this item?

17           LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:  
18 Chair, we have no hands raised for public  
19 comment.

20           CHAIRPERSON KOUNALAKIS: Okay. Okay. Ms. -- and  
21 there is no roll. We all have the report.

22           Okay. We will move then to Item 10, to consider  
23 an application for a general lease of sovereign land in  
24 the Pacific ocean near Samoa in Humboldt County. May we  
25 have the presentation, please.

1 EXECUTIVE OFFICER LUCCHESI: Yes. We have two of  
2 our colleagues. Al Franzoia and Afifa Awan who will be  
3 giving staff's presentation and their PowerPoint should be  
4 pulled up now.

5 (Thereupon a slide presentation.)

6 EXECUTIVE OFFICER LUCCHESI: Al, I'll turn it to  
7 you.

8 PUBLIC LAND MANAGEMENT SPECIALIST FRANZOIA:  
9 Thank you, Jennifer. Good afternoon, Madam Chair and  
10 members of the Commission. My name is Al Franzoia and I'm  
11 a Public Land Management Specialist in the Land Management  
12 Division.

13 I'm here to briefly present the proposed  
14 trans-Pacific subsea fiber optic cable project proposed by  
15 RTI Infrastructure, Inc.

16 Next slide, please.

17 --o0o--

18 PUBLIC LAND MANAGEMENT SPECIALIST FRANZOIA: This  
19 is RTI's third subsea fiber-optic cable project and  
20 Mitigated Negative Declaration in the last two years. Two  
21 landing pipes were installed in Manchester in Mendocino  
22 County and two were installed in Grover Beach, San Luis  
23 Obispo County. One fiber-optic cable coming from  
24 Singapore has already been installed in Grover Beach. One  
25 fiber-optic cable from Hong Kong is planned to land in



1 Manchester in the summer of 2022.

2 The installation of four landing pipes and the  
3 first cable landing in the Samoa Peninsula is expected in  
4 late summer 2021.

5 Next slide, please.

6 --o0o--

7 PUBLIC LAND MANAGEMENT SPECIALIST FRANZOIA:

8 Telecommunications requires fiber-optic cables to  
9 convey uninterrupted data at faster speeds. RTI proposes  
10 to provide a high-speed information highway connecting  
11 Northern California and the U.S. with Asia and Australia.  
12 This project's location in particular is being  
13 strategically selected to avoid a marine protected area  
14 and provide a direct connection to land-based information  
15 hubs as part of a broader plan to ensure that statewide  
16 telecommunication needs are met.

17 Next slide, please.

18 --o0o--

19 PUBLIC LAND MANAGEMENT SPECIALIST FRANZOIA: The  
20 project is located in the Pacific Ocean near Samoa, which  
21 is close to Eureka, on the Samoa Peninsula in Humboldt  
22 County.

23 Next slide, please.

24 --o0o--

25 PUBLIC LAND MANAGEMENT SPECIALIST FRANZOIA: The

1 lease is for the installation of telecommunication  
2 infrastructure from the ordinary high water mark to three  
3 nautical miles offshore. The four landing pipes would  
4 exit 3,600 feet offshore. From there, two fiber optic  
5 cables would be buried on the ocean bottom to three  
6 nautical miles, and beyond that to approximately 23  
7 nautical miles to the edge of the continental shelf at a  
8 depth of 1,000 fathoms or 5,905 feet. Beyond the  
9 continental shelf, the cables would be laid on the ocean  
10 floor.

11 Next slide, please.

12 --o0o--

13 PUBLIC LAND MANAGEMENT SPECIALIST FRANZOIA: The  
14 landing pipes would be about five to six inches in  
15 diameter. They would be installed by the horizontal  
16 directional drilling construction method as explained in  
17 this image. These landing pipes would be at least 35 feet  
18 below the beach and surf zone, before they exit offshore  
19 in about 40 feet of water. The cables would be pulled  
20 through the landing pipes to connect onshore.

21 And now, I'd like to turn it over to my  
22 colleague, Afifa Awan, to discuss the Mitigated Negative  
23 Declaration and conclude our presentation.

24 SENIOR ENVIRONMENTAL SCIENTIST AWAN: Thank you,  
25 Al.

1           Good afternoon, Madam Chair and members of the  
2 Commission. I'm Afifa Awan, a Senior Environmental  
3 Scientist with the Commission's Environmental Planning --  
4 Division of Environmental Planning and Management.

5           Today, I will be briefly discussing the Mitigated  
6 Negative Declaration for the project pursuant to the  
7 California Environmental Quality Act. And at the end,  
8 I'll be concluding with staff's recommendations.

9           As you can -- I'm sorry. Next slide, please.

10                       --o0o--

11           SENIOR ENVIRONMENTAL SCIENTIST AWAN: As you can  
12 see on your slide, staff consulted with this following --  
13 this following entities as we were preparing the MND.  
14 These include fishing associations, California Department  
15 of Fish and Wildlife, California Coastal Commission,  
16 Humboldt County, and CalRecycle.

17           Next slide, please.

18                       --o0o--

19           SENIOR ENVIRONMENTAL SCIENTIST AWAN: The MND was  
20 published for 30 days from December 11th, 2020 until  
21 January 12, 2021. Because of the crab season and the  
22 pandemic, staff agreed to accept comments from several  
23 fishing associations through January 25th. The project  
24 could result in potential significant impacts to several  
25 of these environmental resource areas, as you can see on

1 this slide, which include biological resources, cultural  
2 resources, tribal resources, greenhouse gas emissions,  
3 hazards and hazardous materials, hydrology, noise,  
4 recreation, and transportation.

5 And staff also analyzed potential impacts to  
6 fishers in the MND's commercial and recreational fishing  
7 section. All of these impacts to these resource areas  
8 would be reduced to less than significant levels with  
9 mitigation measures.

10 Next slide, please.

11 --o0o--

12 SENIOR ENVIRONMENTAL SCIENTIST AWAN: We received  
13 18 comment letters or emails on the MND both supporting  
14 the project and opposing the project. So California  
15 Department of Fish and Wildlife -- Fish and Wildlife was  
16 concerned about our approach to mitigating for potential  
17 hard substrate impacts. But we believe the process in use  
18 for more than 20 years is well grounded in the best  
19 available science.

20 And right now, the project's phase one with the  
21 first two fiber-optic cables coming is not expected to go  
22 through any hard substrate. The Humboldt County  
23 Department of Health and Human Services was concerned  
24 about a historic landfill located at the cable landing  
25 site in Samoa.

1           In response, staff revised the MND's Mitigation  
2 Measure Haz-1, which is entitled, "Develop and Implement  
3 Spill Contingency and Hazardous Materials Management  
4 Plans", that would require the applicant to prepare the  
5 following two plans before starting any work. These plans  
6 are worker health and safety plan, and the second one is  
7 soil and waste excavation management plan.

8           The Blue Lake Rancheria Tribe and the Wiyot  
9 Tribe, these tribe -- these tribes shared their  
10 appreciation of tribal cultural resources protection  
11 measures in the MND.

12           And lastly, we had 13 comment letters from the  
13 fishing community. Four letters were supporting the  
14 project and nine were raising -- and nine raised several  
15 concerns. Because many of the comments were recurring,  
16 staff provided master responses.

17           Next slide, please.

18                               --o0o--

19           SENIOR ENVIRONMENTAL SCIENTIST AWAN: Here you  
20 can see the master responses to these comments. I'd like  
21 to just highlight three of them. The first one is master  
22 response one, which is cable burial and suspensions. We  
23 clarified that the oldest -- the older submarine cables  
24 are different than the project's fiber-optic cables.  
25 These fiber-optic cables are designed to stay buried and

1 not be exposed or suspended.

2           The second one I'd like to highlight is master  
3 response five, which is cable paths. We clarified that  
4 the fiber-optic cable paths would not reduce any fishing  
5 grounds.

6           And the last one is master response seven, which  
7 is cumulative impacts. We clarified that at this point in  
8 time, all non-foreseeable projects have been looked at,  
9 and considered for cumulative impacts, and the project  
10 would not contribute to any cumulative impacts.

11           In response to concerns raised in some of these  
12 comments, staff made some minor changes to the MND and the  
13 final MND is now posted on Commission's website. Staff  
14 also revised the lease provisions about a fishing  
15 agreement requiring that the applicant take steps to  
16 create a more inclusive agreement of all fishers in the  
17 region.

18           And lastly, staff required -- staff included  
19 these conditions in the lease, which the first one is  
20 requiring fishing monitoring vessels during in-water work.  
21 And the second one is avoiding project work during crab  
22 season. And the third one is locating the ocean ground  
23 bed components of the project onshore. These master  
24 responses and all individual comments and responses are in  
25 staff report Exhibit D.

1 I'd like to conclude with staff recommending that  
2 the Commission adopt the MND, adopt the Mitigation  
3 Monitoring Program, and authorize the 25-year lease to the  
4 applicant.

5 That concludes staff's presentation. The  
6 applicant, represented by Chris Brungardt, will now  
7 provide a brief statement. And we also have Jay Johnson,  
8 our expert marine biologist from Applied Marine Sciences  
9 available for any technical questions.

10 Thank you for your time.

11 CHAIRPERSON KOUNALAKIS: Thank you, Ms. Awan.  
12 That was a very informative presentation. Good job.

13 And who -- Chris, is he up, the applicant?

14 EXECUTIVE OFFICER LUCCHESI: Yes. I believe he  
15 will be soon. He does need to be promoted, Katie, or  
16 Mike, or Phil. His name is Chris Brungardt.

17 MR. BRUNGARDT: Okay. I think I've pushed all  
18 the right buttons now.

19 CHAIRPERSON KOUNALAKIS: There he is. There you  
20 go.

21 (Laughter.)

22 MR. BRUNGARDT: All right. Madam Chair,  
23 Commissioners, and staff, my name is Chris Brungardt. I'm  
24 Senior Vice President for RTI Infrastructure, the  
25 applicant.

1 I've been working on submarine fiber-optic cables  
2 in California for the last 25 years, including the ones  
3 that Al mentioned earlier that -- the most recent ones  
4 with State Lands, and several in the last few years before  
5 that, that landed Southern California.

6 We've had lot of lessons learned through that  
7 process we've been able to bring to bear on this project.  
8 This is an important project to us. It's an important  
9 project to our country and to California, but I would like  
10 to focus on why it's important to Eureka and Arcata in  
11 that particular area.

12 When we bring these cables in, you can't plug  
13 directly into them. It's like plugging your cell phone  
14 into a high-powered transmission line. It doesn't work.

15 So when the communications data comes ashore to  
16 our cable landing station there in that area, we need a  
17 local carrier, a local telecommunications carrier to carry  
18 our traffic from there to other parts of the state, to  
19 other points that have major connection centers where we  
20 can access the global networks.

21 What that will do for the area though is it will  
22 be a magnet that will draw additional broadband to the  
23 Arcata and Eureka area. Our presence there, the cables  
24 will build. As they build capacity over time, there will  
25 be a need for more and diverse multiple broadband paths.



1 So it does, it acts as a draw to bring additional  
2 communications to that area.

3 But what I'd really like -- and you can read --  
4 Al did a great presentation. Afifa thanks for that. You  
5 can read about all the rest in the paper. What I'd like  
6 to emphasize is just how excellent your staff is. These  
7 guys have been fantastic. We've been working together  
8 with this group for years. They've been very responsive  
9 always. They're very solution oriented, which for a guy  
10 that does a lot of permitting around the world, it's a  
11 pretty rare characteristic to get that kind of  
12 combination. This team seems to have a unique ability to  
13 kind of navigate the waters, so to speak, to know where to  
14 put the effort.

15 And most of all, they're collaborative. They are  
16 a team. When you can get the engineers, and the  
17 environmental folks, and the real estate people to all  
18 work together and pull in a direction, that's special.  
19 There's a word for that, "family".

20 (Laughter.)

21 MR. BRUNGARDT: So, look, with that, when you get  
22 the opportunity, I would really appreciate you voting to  
23 approve the project.

24 Thank you.

25 CHAIRPERSON KOUNALAKIS: Thank you very much for

1 your comments. And was there one more person, Ms. Awan,  
2 who you said was going to be speaking?

3 SENIOR ENVIRONMENTAL SCIENTIST AWAN: Yes. It  
4 was Jay Johnson. He would be there if we had any  
5 questions. He's the marine expert.

6 CHAIRPERSON KOUNALAKIS: Okay. I do not have any  
7 questions on this.

8 Commissioner Yee, Commissioner Miller?

9 ACTING COMMISSIONER MILLER: (Shakes head.)

10 COMMISSIONER YEE: (Shakes head.)

11 CHAIRPERSON KOUNALAKIS: Okay. So seeing none,  
12 then do we have a motion?

13 ACTING COMMISSIONER MILLER: I would move  
14 approval, Madam Chair.

15 COMMISSIONER YEE: I'll second. I'll second.

16 CHAIRPERSON KOUNALAKIS: All right.

17 EXECUTIVE OFFICER LUCCHESI: And, Madam Chair,  
18 before we actually take a vote, we do have a couple of  
19 public comments.

20 CHAIRPERSON KOUNALAKIS: Oh, my apologies. Okay.

21 EXECUTIVE OFFICER LUCCHESI: No worries.

22 CHAIRPERSON KOUNALAKIS: Grace, can we please  
23 move to public comment.

24 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

25 Thank you, Madam Chair. Our first speaker will

1 be Larry Oakter -- Oetker, excuse me, followed by Ken  
2 Bates.

3 EXECUTIVE OFFICER LUCCHESI: Grace, it does not  
4 look like we have Mr. Oetker on the call yet or on the  
5 line. Maybe we can move on.

6 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:  
7 Absolutely. Thank you. I'd like to call on Ken  
8 Bates please.

9 MR. BATES: Well, good afternoon, Madam Chair,  
10 Commissioners, and staff. My name is Ken Bates. I'm a  
11 third generation coastal California -- Californian  
12 residing in Humboldt County. I'm here representing  
13 Humboldt Fishermen's Marketing Association. Humboldt  
14 Fishermen's Marketing Association is a 501(c)(3) nonprofit  
15 representing fishermen since 1955.

16 I appreciate greatly the time that the staff has  
17 spent with fishermen concerning this particular item. And  
18 I would like to go quickly and just comment on one  
19 particular item.

20 Humboldt Fishermen's Marketing Association and  
21 other fishermen's associations have been working with the  
22 State Lands and the Coastal Commission staff since 2019 to  
23 address mitigation for cables crossing California's  
24 community fishing grounds. We believe that the State  
25 agency's goals to mitigate to a level of insignificance,

1 to include a diverse group of stakeholders, and to provide  
2 for fishing community benefits to the widest extent is the  
3 correct approach.

4 This goal was reached in the Central Coast Cable  
5 Committee and is the model for the west coast. This did  
6 not happen in the Point Arena Cable Committee where six  
7 troll fishermen captured the mitigation funds for their  
8 personal use for the past 20 years.

9 We share the State Lands commitment to promote  
10 inclusive -- inclusivity and participation by Coastal  
11 Commission -- by coastal fishing community members for the  
12 benefit of the public interest.

13 We have carefully studied the SLC lease agreement  
14 language, which describes permit conditions required by  
15 the applicant for the lease and the construction of the  
16 RTI cable project. There are two salient points in the  
17 lease language concerning that fishing agreement and our  
18 continued participation in this process: one, the SLC  
19 mandate for the applicant to achieve greater inclusivity  
20 and participation in the joint committee established by  
21 the fishing agreement; and two, the SLC provision for  
22 allowing amendments to the fishing agreement as a  
23 condition for permitting and construction of the RTI  
24 Eureka cable project.

25 To those SLC conditions, our interpretation of

1 the lease provisions allow for the following:

2 The inclusion within the fishing agreement of the  
3 local fishermen's associations of Fort Bragg, Shelter  
4 Cove, Eureka, Trinidad, Crescent City as signators to the  
5 fishing agreement, and the participation of Humboldt  
6 Fishermen's Marketing Association, Trinidad Bay  
7 Fishermen's Association and Shelter Cove Fishermen's  
8 Associations of Humboldt County as voting members with  
9 legal standing in regards to committee actions and  
10 operations.

11 Those operations would include, but not be  
12 limited to, public outreach and notification, fund  
13 management, goals and policies, grant fund requests,  
14 awards, disbursements, yearly evaluations, federal COLA  
15 mitigation adjustments, and the hiring of committee  
16 liaison officers.

17 We share the mitigation goal of the State Lands  
18 Commission and the California Coastal Commission to  
19 provide benefit to the widest extent for California  
20 coastal fishing communities and the smooth and safe  
21 installation and operation of covered cables crossing the  
22 public fishing grounds of California.

23 Thank you for your time for allowing me to  
24 comment today.

25 CHAIRPERSON KOUNALAKIS: Thank you very much.

1 Grace, is anyone else in line to speak?

2 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

3 Yes. Thank you, Madam Chair. We have Mike  
4 Conroy followed by Craig Groucher -- Goucher.

5 MR. CONROY: Thank you. I think I'm unmuted now.  
6 Can you hear me?

7 COMMISSIONER KOUNALAKIS: Yes, we can hear you.

8 MR. CONROY: Thank you. So my name is Mike  
9 Conroy. I'm the Executive Director of the Pacific Coast  
10 Federation of Fishermen's associations. We are the  
11 largest organization of commercial fishermen and women on  
12 the west coast.

13 For 40 years, we have been leading the industry  
14 in assuring that the rights of individual fishermen and  
15 fighting for the long-term survival of commercial fishing  
16 as a productive livelihood and way of life. PCFFA  
17 represents local fishermen's associations on the west  
18 coast from Santa Barbara to the Canadian border. PCFFA's  
19 members do fish in and around the project area.

20 I want to thank you for the opportunity to offer  
21 comments today on the RTI cable project to be located off  
22 Humboldt. As you know, the area is important to  
23 California's commercial fisheries independent fishing  
24 communities. We submitted a somewhat detailed comment  
25 pointing out perceived deficiencies in the MND. For the

1 sake of clarity, since it seemed to have created some  
2 confusion, never did we oppose the project nor did we ever  
3 request an EIR. We haven't nor are we doing so today.

4 Our primary concerns focused on the lack of a  
5 cumulative impacts analysis and the lack of transparency  
6 surrounding the required fishing agreement. I don't want  
7 to repeat what you've already heard from Ken and what you  
8 will likely hear from others. I think that what we have  
9 seen recently is definitely a step in the right direction.

10 As I'm sure you are well aware, there are other  
11 projects currently proposed or likely to be proposed in or  
12 near the RTI project area. To be sure, the history of  
13 fiber-optic cable projects off the state gives us comfort  
14 that the potential for conflicts are very low, but not  
15 non-existent. That is why the fishing agreement is so  
16 important.

17 These other projects will bring different and  
18 often unknown issues and concerns, which may not be  
19 limited to fishing operations in local fishing  
20 communities. We flag that today and look forward to  
21 engaging in those processes when they become a reality.  
22 Like Ken said, we very much appreciate the willingness of  
23 State Lands Commission staff to engage with the fishing  
24 community in ensuring that our concerns were addressed.  
25 The modifications shown in the MND address those concerns.

1           Thank you for your time and your staff's time.  
2   And if you have any questions, we'll be happy to answer  
3   them.

4           CHAIRPERSON KOUNALAKIS: Thank you very much.  
5           Grace, the next speaker.

6           LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:  
7           Thank you, Madam Chair.

8           I had initially indicated Craig Goucher. I do  
9   not see him on our list at this time. So I'd like to call  
10   Jake Mitchell followed by George Bradshaw.

11          CHAIRPERSON KOUNALAKIS: Mr. Mitchell, are you  
12   there?

13          Grace do you see...

14          EXECUTIVE OFFICER LUCCHESI: If I --

15          LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:  
16          He shows --

17          EXECUTIVE OFFICER LUCCHESI: Oh, sorry. Go  
18   ahead, Grace.

19          LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

20          He shows unmuted on this side. Mr. Mitchell, you  
21   may need to unmute on your end.

22          CHAIRPERSON KOUNALAKIS: Mr. Mitchell, we cannot  
23   hear you.

24          EXECUTIVE OFFICER LUCCHESI: Grace, why don't we  
25   move on to our next public commenter and maybe we can



1 problem solve for Mr. Mitchel.

2 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

3 Absolutely. I'd like to call on Mr. George  
4 Bradshaw at this time.

5 CHAIRPERSON KOUNALAKIS: Mr. Bradshaw, are you  
6 there?

7 MR. BRADSHAW: Yes. Do you get me?

8 CHAIRPERSON KOUNALAKIS: Okay. We can hear you.

9 MR. BRADSHAW: Hello. Thank you. Good  
10 afternoon, almost evening now. My name is George  
11 Bradshaw. I am a lifelong resident of Crescent City,  
12 California, third generation fisherman. You know, and I'm  
13 here to represent the Crescent City Commercial Fishermen's  
14 Association and kind of echo the same that you heard from  
15 Ken and Conroy.

16 Hold on, please.

17 You know, and what we're hoping for is this --  
18 that this process and project moves forward properly. You  
19 know, we've been working diligently and collectively  
20 engaged with the other north coast fishing associations to  
21 come up with an amended fishing agreement that we could  
22 all agree on and, you know, support.

23 You know, we agree with, you know, HFMA's  
24 response earlier and, you know, not that we are opposing  
25 any project. You know, we would like to move forward with

1 support, and, you know, would like to thank everyone's,  
2 you know, work on the process, thank your guys's  
3 engagement with the fishing community.

4 And that's about what I have to say.

5 CHAIRPERSON KOUNALAKIS: Thank you very much for  
6 your comments.

7 Grace, next speaker.

8 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

9 Our next speaker will be Peter Leipzig followed  
10 by David Helliwell.

11 CHAIRPERSON KOUNALAKIS: Mr. Leipzig, are you  
12 there?

13 There, I see --

14 MR. LEIPZIG: Can you hear me?

15 CHAIRPERSON KOUNALAKIS: Yes, we can hear you.  
16 Go ahead.

17 MR. LEIPZIG: Okay. It keeps telling me to  
18 unmute.

19 CHAIRPERSON KOUNALAKIS: Okay. We gotcha.

20 MR. LEIPZIG: Okay. My name is Peter Leipzig.  
21 And I'm speaking on behalf of the North Coast Fishermen's  
22 Cable Committee.

23 A little bit of background. I retired at the end  
24 of 2016 after working 38 years for a group called the  
25 Fishermen's Marketing Association. And the FMA

1 represented groundfish and shrimp troll fishermen in  
2 California, Oregon, and Washington. In 2018, that was two  
3 years after I retired, the FMA Board of Directors  
4 contacted me and asked if I would be willing to provide  
5 some assistance to a group of FMA members in the Eureka  
6 area dealing with the prospect of a fiber-optic cable  
7 coming ashore in Samoa, and I agreed.

8 And we, as a group, met several times with the  
9 folks from RTI. We developed a very good working  
10 understanding of what their project was going to be about  
11 and what RTI was expecting from the fishermen

12 Over the next two years, we accomplished two  
13 things. In July of 2019, we founded the North Coast  
14 Fishermen's Cable Committee. It's a nonprofit California  
15 corporation. And the purpose is to educate the public and  
16 particularly mariners about fiber-optic cables, especially  
17 those coming ashore in Samoa.

18 The Cable Committee is governed by a five-person  
19 board, all of which are trollers and Dungeness crab  
20 fishermen. And I am not a member of that Board, though I  
21 am the corporate secretary and the treasurer. And  
22 honestly, I look forward to passing that baton on to  
23 someone else, so I can begin spending a little more time  
24 in my woodshop.

25 But the second thing that we accomplished was in

1 July of 2020, we finalized a fishing agreement with RTI.  
2 The process of developing an agreement began by reviewing  
3 a draft agreement supplied by RTI and also examining the  
4 current agreements that other cable committees along the  
5 west coast have entered into.

6 This was, as any negotiation should be, an  
7 interact -- an iterative process with going back and  
8 forth. And during this process, I and members of the  
9 Board consulted with fishermen that had been involved in  
10 other cable committees along the coast many times. Those  
11 people and the other groups gave us lots of suggestions  
12 and insights on how the relationship with cable companies  
13 had worked for them, and we tried to incorporate that into  
14 our agreement.

15 In the end, I believe, that we have produced a  
16 good agreement that provides protection to the fishing  
17 industry and will benefit the industry on into the future.

18 We support this project and encourage you to  
19 approve it. And I'd be happy to take any questions you  
20 may have.

21 CHAIRPERSON KOUNALAKIS: Thank you very much.  
22 Grace, our next speaker.

23 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

24 Our next speaker will be David Helliwell followed  
25 by Second Wind at Humboldt.

1 CHAIRPERSON KOUNALAKIS: Mr. Helliwell, are you  
2 there?

3 Grace, do you -- do you see our speaker?

4 MR. HELLIWELL: There, did I get it?

5 CHAIRPERSON KOUNALAKIS: Okay. Yes, you got it.  
6 We can hear you. Go ahead.

7 MR. HELLIWELL: All right. Thank you.

8 Good afternoon, Chair Kounalakis and  
9 Commissioners. My name is David Helliwell. I represent  
10 Humboldt Fishermen's Marketing Association and the fishing  
11 vessel Corregidor out of the Port of Eureka.

12 RTI proposes bringing fiber-optic cables ashore  
13 through the 150-year old commercial crab grounds in front  
14 of Eureka. I do not oppose the landing of these cables,  
15 but I do oppose them coming ashore without inclusive and  
16 adequate agreements, and procedures in place to address  
17 the inevitable interactions that will take place in the  
18 process of installation and operation of these cables.

19 Agreements and procedures that have been industry  
20 standard for 20 years are in place in Morro Bay for  
21 landing, operation, and maintenance of cables. These  
22 agreements and procedures have worked well for the cable  
23 companies and the fishing community. This has not been  
24 the case above Point Arena.

25 On July 1st, 2020, while running a 26 fathom crab

1 string, Tony Burris observed 380 foot survey boat Bold  
2 Explorer troll right through across the end of our string.  
3 When Tony arrived at the end, the end trap was gone. I  
4 was fishing five strings of gear from 15 fathoms to 26  
5 fathoms. The path of the survey was directly across all  
6 five strings. Mr. Burris observed Bold Explorer pass  
7 through our crab gear eight times on July 1st, four going  
8 east and four times west. The result was lost traps and  
9 diminished catch.

10 On July 1st, I contacted CDFW Warden Mike Hampton  
11 and reported our missing endmarker and the operations of a  
12 towboat and cable in the crab gear. It is illegal to  
13 disturb or move legally deployed gear.

14 On July 2nd, I contacted Humboldt Bay Harbor  
15 District and asked if they knew anything about a survey  
16 going on in front of Eureka. Assistant Executive Director  
17 Adam Wagschal reported no knowledge of a survey. After  
18 contact with State Lands, the Coastal Commission, CDFW,  
19 and the Coast Guard, the survey crew was finally persuaded  
20 to cease operations for two weeks until the end of crab  
21 season, when all the gear would be removed from the ocean.  
22 In the meantime, damage was done, gear was lost, and catch  
23 declined.

24 There is a rumor that an agreement was formed  
25 with a handful of drag boats to address fishing

1 interactions with cable operations. If this is the case,  
2 such agreement has provided zero benefit to the majority  
3 of bottom contact fleet nor has the fleet been contacted.

4 I have fished 50 consecutive crab seasons out of  
5 the ports of Eureka and Crescent City. Nobody I know  
6 knows anything about an agreement to address issues with  
7 installation and operation of a cable in local waters. I  
8 am not opposed to the landing of a fiber-optic cable at  
9 Samoa or Eureka. I support it being brought ashore with  
10 agreements and procedures in place to address interactions  
11 between the fishing industry and the cable company.

12 The Morro Bay Cable Committee is in the process  
13 of updating their 20-year old agreement with cable  
14 companies. The ports of Arena, Fort Bragg, Shelter Cove,  
15 Eureka, Trinidad, and Crescent City are participating in  
16 this process and expect to bring forward the same  
17 agreement with any port-specific additions.

18 Anything State Lands Commission can do to assist  
19 this process and to move forward to an end that is  
20 inclusive of all affected fishermen will be appreciated.

21 I thank you very much for your time.

22 CHAIRPERSON KOUNALAKIS: Thank you very much.

23 Grace, are there any more speakers who would like  
24 to address the Commission?

25 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

1 Our next speaker will be Second Wind.

2 CHAIRPERSON KOUNALAKIS: Do you -- do you see  
3 someone trying to get in?

4 MR. GOUCHER: There we go. Am I on?

5 CHAIRPERSON KOUNALAKIS: Please state your name  
6 for the record. Yes.

7 MR. GOUCHER: My name is Craig Goucher. I am  
8 representing Trinidad Bay Fishermen's Marketing  
9 Association, which is comprised of 14 members, including  
10 myself. We have never had cables installed in our fishing  
11 grounds. We are concerned about possible entanglements  
12 with our fishing gear.

13 We're here today asking to be included in the  
14 process of accomplishing an agreement between RTI and the  
15 fishermen for the installation of these cables. Trinidad  
16 Bay Fishermen's Marketing Association hopes to have a  
17 voting seat at the table, so that we can work with RTI to  
18 accomplish this agreement.

19 Thank you for allowing me to voice my opinion.

20 CHAIRPERSON KOUNALAKIS: Thank you.

21 Grace, are there any others who have asked to  
22 speak?

23 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

24 Chair Kounalakis, at this time, I'd like to see  
25 if we can get Jake Mitchell back on.



1 CHAIRPERSON KOUNALAKIS: Mr. Mitchell, are you  
2 there?

3 MR. MITCHELL: Can you hear me?

4 CHAIRPERSON KOUNALAKIS: Yes, we can.

5 MR. MITCHELL: Oh, there I am.

6 Well, I'll try not to take up too much of your  
7 time. Anyway, I'm Jake Mitchell. I'm the President of  
8 Shelter Cove Fishing Preservation, Incorporated. We're a  
9 501(c)(3) in Shelter Cove, California.

10 I -- pretty much what has been said is what I  
11 would say as well. And I'd just like to say that, you  
12 know, we'd also like to be part of the fishing industry  
13 mitigation. And we'd be willing to, you know, sign on to  
14 an amended fishing agreement as well. And we'd like to  
15 just echo, you know, the sentiments that Ken and Mike said  
16 as well. And thanks for hearing what I have to say.

17 CHAIRPERSON KOUNALAKIS: Okay. Grace, is there  
18 anyone else who would like to speak on this issue?

19 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

20 At this time, I'd like to ask if I could have  
21 Larry Oetker raise his hand if he's here as an attendee to  
22 speak.

23 Chair Kounalakis, we do not have any additional  
24 hands raised at this time for public comment.

25 CHAIRPERSON KOUNALAKIS: Okay. So we have a

1 motion on the table and a second. But before we vote on  
2 this, Ms. Lucchesi, is there anything that you could say  
3 to those who might be engaging in this toward the end of  
4 the process about how they can participate and engage in  
5 the future?

6 EXECUTIVE OFFICER LUCCHESI: Yes, of course. I  
7 do want to just acknowledge -- I'm happy to respond to  
8 many of the comments that we've heard. It looks like we  
9 just had a hand raised by a Mr. Tony Cannia. If it  
10 pleases the Chair, we'd -- I'd like to just give him an  
11 opportunity to speak.

12 CHAIRPERSON KOUNALAKIS: Sure.

13 EXECUTIVE OFFICER LUCCHESI: Great.

14 CHAIRPERSON KOUNALAKIS: Grace, can you put the  
15 speaker through.

16 MR. CANNIA: Can you hear me?

17 CHAIRPERSON KOUNALAKIS: Yes, we can.

18 MR. CANNIA: Can you hear me?

19 CHAIRPERSON KOUNALAKIS: Yes, we can.

20 MR. CANNIA: Oh, I'm just commenting on the --  
21 oh. I'm just going to make a comment quick. The Eureka,  
22 and Trinidad, and Shelter Cove comment. I agree with  
23 them.

24 CHAIRPERSON KOUNALAKIS: You have three minutes,  
25 so take a deep breath, take your time.

1 (Laughter.)

2 MR. CANNIA: I hate these things. I'm just  
3 saying I'm a longtime commercial fisherman. I am the  
4 President of the Association of the Salmon  
5 Market Association here in Fort Bragg. And over the years  
6 I've been here when they installed the first cable over 20  
7 years ago. I was on their board when I had a drag boat  
8 and now I've seen that there -- cables been coming in and  
9 we never get notified or what's going on, like we should.  
10 And I agree with the rest of my colleagues from Eureka and  
11 Trinidad, and Shelter Cove.

12 That's all I have to say.

13 CHAIRPERSON KOUNALAKIS: Thank you very much.

14 Ms. Lucchesi, you were about to respond to some  
15 of the comments.

16 EXECUTIVE OFFICER LUCCHESI: Yes, I wanted to  
17 thank all the fishers for not only working with our team  
18 and letting us know about their concerns for the process,  
19 but also contributing and participating in today's  
20 meeting. Based on their concerns and requests, we have  
21 incorporated a number of lease terms that set up both the  
22 applicant and the fishing community to have further  
23 discussions about how to broaden and make more inclusive  
24 the participation in that agreement that was referenced in  
25 many of the comments.

1           And we will be providing oversight as staff  
2 negotiations along with the Coastal Commission staff to  
3 ensure the greatest amount of inclusivity, and also to  
4 make sure that the terms of the agreement, as may be  
5 amended, are complied with and fulfilled by all parties.

6           And I will just add, in conclusion, that we are  
7 very well aware and continue to want to learn and  
8 understand about just how the ocean has been changing in  
9 terms of additional infrastructure going in or being  
10 proposed to go in, especially with the potential for  
11 offshore wind, and that the concerns that this raises for  
12 the fishing community and their livelihood.

13           And so we look forward to continuing to engage  
14 and learn from the fishing community, particularly in  
15 Northern California.

16           Thank you.

17           CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.  
18 Lucchesi. I see Commissioner Yee you have your hands --  
19 hand raised.

20           COMMISSIONER YEE: Oh, thank you, Madam Chair. I  
21 just had a question. And that is, we didn't get into the  
22 details of the Mitigation Monitoring Program, and I know  
23 that -- I thought I had seen some provisions in there  
24 about relating to entanglement, and just wanted to know if  
25 some of the processes that are being sought would be

1 incorporated as we deal with some of the mitigation  
2 measures as well.

3 EXECUTIVE OFFICER LUCCHESI: I will turn that  
4 over to Afifa to quickly respond or, Afifa, if you would  
5 like, Nicole or Eric can respond.

6 Just in regards to the agreement, that does lay  
7 out a process for those fishers that may get their gear  
8 caught up in the cables for making claims to cover not  
9 just the cost of the lost gear, but also lost catch --

10 COMMISSIONER YEE: Um-hmm.

11 EXECUTIVE OFFICER LUCCHESI: -- as well as a fund  
12 has been set up by the applicant, RTI, to fund various  
13 projects through a grant process essentially by the  
14 fishing community. So there is a number of different  
15 terms in that agreement that again, through our lease, is  
16 incorporated into the obligation of the lessee, along with  
17 a requirement to really broaden the inclusiveness, and  
18 seek to broaden the inclusiveness of that agreement to  
19 capture additional members of the fishing community.

20 So with that, maybe I'll turn it to Eric, or  
21 Nicole, or Afifa to address the (inaudible) measures.

22 ENVIRONMENTAL PLANNING AND MANAGEMENT ASSISTANT  
23 DIVISION CHIEF GILLIES: Yeah. Thanks, Jen. This is Eric  
24 Gillies. I'm Assistant Chief of the Division of  
25 Environmental Planning and Management.

1 I think you covered it pretty well, Jen,  
2 regarding the agreement. And they'll have a -- I'll also  
3 ask Chris to bring this up, because again set up a  
4 website. If gear gets tangled, there's a website that  
5 they go to to set up a claim. But I'll turn it over to  
6 Chris to explain that as far as what they're having -- and  
7 they also have a liaison on-site up in Humboldt at the  
8 harbors. You want to elaborate more, Chris, on that?

9 MR. BRUNGARDT: Yeah. Yeah. Yeah, thanks. So  
10 the agreement we have put in place is patterned off of  
11 those that are working very effectively. As a number of  
12 the fishermen have noted here, the agreement in Southern  
13 California, the one in the Central Coast, those work very  
14 well.

15 When we worked out this agreement with the mobile  
16 bottom contact fishermen, they consulted those other  
17 groups, and they got the lessons learned. So, in essence,  
18 what we do is, first of all, we will be able to bury the  
19 cables. So the idea that they're going to be entangled is  
20 extremely, extremely remote. It can only happen if  
21 there's some severe weather event that caused the cable to  
22 become unburied. They're designed not to do that.  
23 They're heavier than water. They'll stay on the ocean  
24 floor. The ocean floor here is primarily sandy, muddy,  
25 particularly where the fishing happens.

1           One of the great things just that works out is  
2 where fishing happens, we can get burial. Where fishing  
3 doesn't happen, in rock, that's where it's hard to bury.  
4 Of course, you don't bury it there. So over more than 20  
5 years, there are 23 cables that have landed in California.  
6 We have one incident of actual gear entanglement.

7           It turns out when we did a post-lay survey, that  
8 gear was hung up on a rock next to the cable. The cable  
9 company asked them to sacrifice the gear, rather than  
10 grapnel for it because they were afraid of a damage -- to  
11 damage a cable nearby.

12           But -- so the idea that it could get tangled is  
13 very, very remote. But we put conditions in place that  
14 benefit all fishermen. So there's an 800 number staffed  
15 24/7. If a fisherman believes they are hung up, we ask  
16 that they call. We will then advise please sacrifice your  
17 gear or you're far enough away, go head and grapnel for  
18 it. Do what you need to retrieve your gear.

19           If we ask them to sacrifice it, the agreement  
20 says we'll pay a hundred and fifty percent of the gear  
21 replacement cost.

22           CHAIRPERSON KOUNALAKIS: Thank you.

23           MR. BRUNGARDT: So that's in order to accommodate  
24 to pay for the gear plus any lost -- lost revenue.

25           CHAIRPERSON KOUNALAKIS: Thank you. That is

1 extremely helpful information, I think, to the people who  
2 made comments. And on that note, I think we actually have  
3 someone who raised their hand. Is that -- is that right,  
4 Grace? I -- if the Commissioners don't mind allowing one  
5 more person to make comment -- give comment on this.

6 Grace.

7 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

8 Thank you, Chair. We have Peter Bogdan who has  
9 raised his hand to make comment.

10 CHAIRPERSON KOUNALAKIS: Okay. We'll go ahead  
11 and allow that to proceed. Mr. Bogdan, go ahead.

12 MR. BOGDAN: Hi. Yeah. Can you hear me?

13 CHAIRPERSON KOUNALAKIS: Yes, we can.

14 MR. BOGDAN: Great. So I'm a fisherman in Point  
15 Arena. I've fished Dungeness crab here for 30 years. I  
16 was a harbor master for almost 25 years.

17 And, you know, I'm here to support the idea of a  
18 broader based fishing agreement. We are not aware of any  
19 kind of fishing agreement with our community -- with our  
20 fishing community on this last Point Arena project. And  
21 so that is basically in a nutshell what I want to say.  
22 I'm supporting a broader based fishing agreement that  
23 would include Point Arena fishermen.

24 Thank you.

25 CHAIRPERSON KOUNALAKIS: Thank you very much.



1 All right. So, Commissioner Yee, did you have  
2 anymore questions?

3 COMMISSIONER YEE: (Shakes head.)

4 CHAIRPERSON KOUNALAKIS: All right. Commissioner  
5 Miller, any questions or comments?

6 ACTING COMMISSIONER MILLER: (Shakes head.)

7 CHAIRPERSON KOUNALAKIS: Okay. We have a motion  
8 and a second. Ms. Lucchesi, will you call the roll.

9 EXECUTIVE OFFICER LUCCHESI: Certainly.

10 Commissioner Yee.

11 COMMISSIONER YEE: Aye.

12 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

13 ACTING COMMISSIONER MILLER: Aye.

14 EXECUTIVE OFFICER LUCCHESI: Madam Chair?

15 CHAIRPERSON KOUNALAKIS: Aye.

16 EXECUTIVE OFFICER LUCCHESI: The motion passes  
17 unanimously.

18 CHAIRPERSON KOUNALAKIS: Okay.

19 MR. BRUNGARDT: Thank you very much.

20 CHAIRPERSON KOUNALAKIS: Thank you for everyone  
21 who came and spoke on this item and for the presentations,  
22 particularly the staff presentations, which were really  
23 terrific.

24 Ms. Lucchesi, what is the next order of business?

25 CHAIRPERSON KOUNALAKIS: The next order of

1 business is our second public comment period.

2 CHAIRPERSON KOUNALAKIS: Okay. If anyone would  
3 like to address the Commission on any matter that is not  
4 on today's agenda, please raise your hand and you will  
5 have three minutes to do so. Grace, please call on the  
6 first person who would like to make public comment.

7 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:  
8 Thank you, Chair Kounalakis. We have no hands  
9 raised for public comment at this time.

10 CHAIRPERSON KOUNALAKIS: Okay. Thank you, Grace.  
11 That concludes our second public comment period.

12 Do any of the Commissioners have any questions or  
13 comments?

14 COMMISSIONER YEE: (Shakes head.)

15 ACTING COMMISSIONER MILLER: (Shakes head.)

16 CHAIRPERSON KOUNALAKIS: Okay. Ms. Lucchesi,  
17 next order of business.

18 CHAIRPERSON KOUNALAKIS: Our next order of  
19 business will be closed session. We will be conducting  
20 our closed session via conference call. Commissioners,  
21 please email me or call me -- call my cell phone if you  
22 need the call-in information. For the Commissioners and  
23 staff participating in closed session, upon adjournment,  
24 please mute your microphone, turn off your webcam, and if  
25 possible go into a different room. This will ensure

1 confidentiality of our discussion.

2 AGP VIDEO: Excuse me, Jennifer, this is Billy  
3 from AGP Video.

4 EXECUTIVE OFFICER LUCCHESI: Yes.

5 AGP VIDEO: And I'm curious if you'll be doing a  
6 report out, if you want us to stay online?

7 EXECUTIVE OFFICER LUCCHESI: Yes, we will be  
8 doing a report out. So we'll be adjourning into closed  
9 session now and then we'll call the meeting back into  
10 order.

11 AGP VIDEO: Thank you.

12 EXECUTIVE OFFICER LUCCHESI: Thank you.

13 (Off record: 4:53 p.m.)

14 (Thereupon the meeting recessed  
15 into closed session.)

16 (Thereupon the meeting reconvened  
17 open session.)

18 (On record: 5:10 p.m.)

19 CHAIRPERSON KOUNALAKIS: All right. I see that  
20 we have all of our Commissioners present. So I call this  
21 meeting back to order.

22 Ms. Lucchesi, is there anything to report from  
23 closed session?

24 EXECUTIVE OFFICER LUCCHESI: No.

25 CHAIRPERSON KOUNALAKIS: All right. That

1 concludes the open meeting. Thank you, everyone. It's  
2 great to be back as the Chair. And I will now conclude  
3 the open meeting and see you all next time. We are  
4 adjourned.

5 (Thereupon the California State Lands  
6 Commission meeting adjourned at 5:10 p.m.)  
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CERTIFICATE OF REPORTER

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

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of March, 2021.



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