

VIDEOCONFERENCE MEETING
STATE OF CALIFORNIA
LANDS COMMISSION

ZOOM PLATFORM

TUESDAY, APRIL 27, 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

Reid Boggiano, Public Land Management Specialist, External
Affairs Division

Sheri Pemberton, Chief, External Affairs and Legislative
Liaison

Katie Robinson-Filipp, Environmental Scientist

ATTORNEY GENERAL:

Andrew Vogel, Deputy Attorney General

ALSO PRESENT:

Brett Balint, OnwardandUpwards.io

Cassandra Costello, San Francisco Travel Association

Elaine Forbes, Port of San Francisco

Alison Madden

Tom Rudolph, The Pew Charitable Trusts

APPEARANCES CONTINUED

ALSO PRESENT:

Joe Stuyvesant, Port of San Diego

Danny Wan, Port of Oakland

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I 1:00 PM - Open Session	1
II Public Comment	5
<p>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.</p>	
III Confirmation of Minutes for the February 23, 2021 meeting	16
IV Executive Officer's Report	18
<p>Continuation of Rent Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:</p> <ul style="list-style-type: none">- AT&T Corp. (Lessee): Continuation of rent at \$4,335 per year for a General Lease - Right-of-Way Use located in the Pacific Ocean, offshore of Montana De Oro State Park, Morro Bay, San Luis Obispo County. (PRC 8154)- AT&T Corp. (Lessee): Continuation of rent at \$4,030 per year for a General Lease - Right-of-Way Use located in the Pacific Ocean, offshore of Montana De Oro State Park, Morro Bay, San Luis Obispo County. (PRC 8278)- Level 3 Communications, LLC (Lessee): Continuation of rent at \$1,277 per year for a General Lease - Right-of-Way Use located on State school lands, near Baker, San Bernardino County. (PRC 8324)- Pacific Gas and Electric Company (Lessee): Continuation of rent at \$2,774 per year for	

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a General Lease - Right-of-Way Use located in Old River, Middle River and Latham Slough, near Isleton, San Joaquin County and Contra Costa County. (PRC 8677)

Tomales Bay Assignment Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:

- No Items

V Consent Calendar 01-43

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 28 MOANA CIRCLE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 28 Moana Circle, near Homewood, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 5301; A2363; RA# 2019137) (A 1; S 1) (Staff: J. Toy)
- 02 JAMES F. BAGAN AND MEREDITH H. BAGAN (LESSEE); WILLIAM J. GLASER AND GINA GLASER, TRUSTEES OF THE GLASER FAMILY TRUST AGREEMENT DATED MARCH 20, 2017 (APPLICANT): Consider acceptance of a lease quitclaim deed; void Invoice Number 51019 and any associated Penalty and Interest; and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4762 North Lake Boulevard, near Carnelian Bay, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 5074; A2928; RA# 2020123) (A 1; S 1) (Staff: J. Holt)
- 03 DAVID HARRIS BERGER AND SARAH JAME BERGER (APPLICANT): Consider application for a General Lease -

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- Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2562 Lake Forest Road, near Tahoe City, Placer County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2395; RA# 2019224) (A 1; S 1) (Staff: J. Holt)
- 04 BEWLEY TAHOE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5420 and 5430 West Lake Boulevard, near Homewood, Placer County; for three existing mooring buoys previously authorized by the Commission, and one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 8002; A2642; RA# 2019317) (A 1; S 1) (Staff: S. Avila)
- 05 RUTH BLEY, TRUSTEE OF THE RUTH BLEY LIVING TRUST, DATED 8/24/11 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 111 Chipmunk Street, Kings Beach, Placer County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2725; RA# 2020022) (A 1; S 1) (Staff: S. Avila)
- 06 BARBARA B. CORNEILLE, TRUSTEE OF THE CORNEILLE LIVING TRUST DATED MARCH 19, 1990 (LESSEE); QUIET WALK LLC, A CALIFORNIA LEGAL LIABILITY COMPANY (APPLICANT): Consider termination of Lease Number PRC 9056, a General Lease - Recreational Use; and issuance of a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 135 Quiet Walk Road, near Tahoma, El Dorado County; for an existing pier and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 9056; A2841; RA# 2020081) (A 5; S 1) (Staff: L. Anderson)
- 07 BARBARA B. CORNEILLE, TRUSTEE OF THE CORNEILLE LIVING TRUST DATED MARCH 19, 1990 (LESSEE); QUIET WALK LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider waiver of rent, penalty, and interest; termination of Lease PRC 3654, a General Lease - Recreational Use; and issuance of a General Lease - Recreational Use, of sovereign land located in Lake

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- Tahoe, adjacent to 135 Quiet Walk Road, near Tahoma, El Dorado County; for an existing pier, boat hoist, sundeck with stairs, and two mooring buoys previously authorized by the Commission and a water line not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 3654; A2847; RA# 2020088) (A 5; S 1) (Staff: L. Anderson)
- 08 DRUM LODGE LLC, A DELAWARE LIMITED LIABILITY COMPANY (LESSEE): Consider amendment to Lease Number PRC 4266, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 15 Chinkapin Cove, near Meeks Bay, El Dorado County; to include 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 exemptions. (PRC 4266; A2806; RA# 2020071) (A 5; S 1) (Staff: S. Avila)
- 09 DEBI L. LANGSTON, AS TRUSTEE OF THE DEBI L. LANGSTON LIVING TRUST, DATED AUGUST 15, 2008 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8246 Brockway Vista Avenue, Kings Beach, Placer County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2086; RA# 27918) (A 1; S 1) (Staff: N. Lee)
- 10 MCKINLEYVILLE COMMUNITY SERVICES DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Mad River, adjacent to Assessor's Parcel Numbers 508-021-007 and 508-021-006, near McKinleyville, Humboldt County; for the proposed Mad River Floodplain and Public Access Enhancement Project. CEQA Consideration: Mitigated Negative Declaration, adopted by the McKinleyville Community Services District, State Clearinghouse No. 2020039047, and adoption of a Mitigation Monitoring Program. (A2413; RA# 2020059) (A 2; S 2) (Staff: J. Toy)
- 11 PATRICIA MOZART, TRUSTEE OF THE PATRICIA MOZART TRUST AGREEMENT UTA DATED DECEMBER 11, 1995 (LESSEE/APPLICANT): Consider acceptance of a lease quitclaim deed and application for a General Lease -

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- Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6350 and 6370 West Lake Boulevard, near Homewood, Placer County; for an existing pier, boathouse with boat lift, sundeck with stairs, and three mooring buoys. CEQA Consideration: categorical exemptions. (Lease 6525; A2664; RA# 2019335) (A 1; S 1) (Staff: J. Toy)
- 12 GEORGE STANLEY NUNN AND KELLI ANN NUNN (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8245 Meeks Bay Avenue, Meeks Bay, El Dorado County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8136; A2924; RA# 2020121) (A 5; S 1) (Staff: J. Holt)
- 13 BRUCE W. OLSON AND MOLLY J. OLSON, TRUSTEES OF THE FAMILY OLSON TRUST OF 2006 U.D.T. DATED SEPTEMBER 27, 2006 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4246 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier and boat lift previously authorized by the Commission and two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 4177; A2493; RA# 2019209) (A 1; S 1) (Staff: J. Toy)
- 14 BRUCE W. OLSON AND MOLLY J. OLSON, TRUSTEES OF THE FAMILY OLSON TRUST OF 2006 U.D.T. DATED SEPTEMBER 27, 2006 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4240 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier with boathouse, and two mooring buoys previously authorized by the Commission and an existing sundeck with stairs not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 3212; A2494; RA# 2019210) (A 1; S 1) (Staff: J. Toy)
- 15 CAROLYN M. PAUL, TRUSTEE OF THE PAUL FAMILY TRUST DATED JANUARY 22, 2001 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4745 West Lake Blvd, near Homewood, Placer County; for two

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- existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2518; RA# 2019223 (A 1; S 1) (Staff: A. Franzoia)
- 16 RANDALL E. POND AND CYNTHIA M. G. POND, AS TRUSTEES OF THE CYNTHIA M. G. POND PERSONAL RESIDENCE TRUST U/T/A 12/13/08; AND RANDALL E. POND AND CYNTHIA M.G. POND, AS TRUSTEES OF THE RANDALL E. POND PERSONAL RESIDENCE TRUST U/T/A 12/13/08 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3240 Edgewater Drive, Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8919; A2657; RA# 2019331) (A 1; S 1) (Staff: L. Anderson)
- 17 ROGER B. PRIMM, TRUSTEE OF THE REVISED AND RESTATED ROGER B. PRIMM FAMILY TRUST U/D/T DATED JANUARY 30, 1990 (LESSEE); MARK L. ENGSTROM AND ANNE STILLE ENGSTROM, AS TRUSTEES OF THE ENGSTROM FAMILY TRUST DATED MAY 21, 2004 (APPLICANT): Consider waiver of rent, penalty, and interest; termination of Lease PRC 6863, a General Lease - Recreational Use, and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3115 Jameson Beach Road, near South Lake Tahoe, El Dorado County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 6863; A2784; RA# 2020055) (A 5; S 1) (Staff: S. Avila)
- 18 CATHERINE A. RAMIREZ; CHARLES M. CHEVALIER, JR. AND JOAN C. CHEVALIER, TRUSTEES OF THE CHEVALIER REVOCABLE FAMILY TRUST DATED DECEMBER 20, 2005; WILLOW J. ANSTEAD; AND CARL M. WARMACK (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8265 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for an existing mooring buoy. CEQA Consideration: categorical exemption. (Lease 8306; A2505; RA# 2020050) (A 5; S 1) (Staff: L. Anderson)
- 19 RED WOLF LAKESIDE LODGE L.P., A CALIFORNIA LIMITED PARTNERSHIP AND TAHOYA SHORES CONDOMINIUM ASSOCIATION (APPLICANT): Consider issuance of a General Lease - Recreational Use and Protective Structure Use, of

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- sovereign land located in Lake Tahoe, adjacent to 7610 and 7630 North Lake Boulevard, Tahoe Vista, Placer County; for a joint-use pier, a rock jetty, a portion of a second jetty adjacent to the east side of Assessor's Parcel Number 117-140-008, and four mooring buoys. CEQA Consideration: categorical exemption. (Lease 7954; A2670; RA# 2020001) (A 1; S 1) (Staff: L. Anderson)
- 20 RUBICON TAHOE OWNERS, INC. (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to Assessor's Parcel Numbers 016-142-011 and 016-221-006, near Rubicon Bay, El Dorado County; for two existing piers, three seasonal open swim lines, two swim floats, 97 existing mooring buoys, and three existing marker buoys. CEQA Consideration: categorical exemption. (Lease 5676; A2248; RA# 2019119) (A 5; S 1) (Staff: M.J. Columbus)
- 21 ROBERT SOLOMON AND JESSICA SOLOMON, CO-TRUSTEES OF THE SOLOMON REVOCABLE TRUST U/A/D AUGUST 3, 2011 (LESSEE); LONG PADDLE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (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 2570 West Lake Boulevard, near Tahoe City, Placer County; for removal of an existing pier, appurtenant facilities, and one mooring buoy; use and maintenance of one existing mooring buoy previously authorized and freshwater intake pipeline not previously authorized by the Commission; and construction of a pier and boat lift. CEQA Consideration: categorical exemptions. (Lease 5125; A2868; RA# 2020112) (A 1; S 1) (Staff: J. Holt)
- 22 LAUREN R. STRACHAN AND ADAM STRACHAN, AS CO-TRUSTEES OF THE GORDON C. STRACHAN FAMILY TRUST UNDER DECLARATION OF TRUST DATED DECEMBER 28, 2001; AND AARON T. STRACHAN AND JUSTIN D. STRACHAN, AS CO-TRUSTEES OF THE ALAN F. STRACHAN FAMILY TRUST UNDER DECLARATION OF TRUST DATED DECEMBER 28, 2001 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6760 West Lake Boulevard, near Tahoma, Placer County; for an existing pier and two

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- mooring buoys. CEQA Consideration: categorical exemption. (Lease 4278; A2679; RA# 2020091) (A 1; S 1) (Staff: S. Avila)
- 23 SUTTER BUTTE FLOOD CONTROL AGENCY (APPLICANT): Consider application for a General Lease - Dredging Use, of sovereign land located in the Feather River and the confluence of the Feather and Yuba Rivers, adjacent to Assessor's Parcel Numbers 52-570-006, 010-260-017, 010-020-010, 010-020-011, and 010-020-015, near Yuba City, Sutter and Yuba Counties. CEQA Consideration: Environmental Impact Report, certified by the Sutter Butte Flood Control Agency, State Clearinghouse No. 2020060424, and adoption of a Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (A2661; RA# 2019340) (A 3; S 4) (Staff: M.J. Columbus)
- Bay/Delta Region
- 24 MARK ALDERDICE (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Tomales Bay, adjacent to 520 Pierce Point Road near Inverness, Marin County; for the installation, use, and maintenance of a mooring buoy. CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (A2584; RA# 2020109) (A 10; S 2) (Staff: D. Tutov)
- 25 WAYNE BOYD BROWN (LESSEE); MELINDA D. HRABE AND ORVILLE S. HRABE, AS TRUSTEES OF THE BICYCLE LOVE TRUST DATED 4/9/2020 (APPLICANT): Consider termination of Lease Number PRC 6052, a Recreational Pier Lease; and an application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 821 Yacht Court, near Sacramento, Sacramento County; for an existing boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 6052; RA# 2020107) (A 9; S 6) (Staff: M. Schroeder)
- 26 BURLINGAME POINT, LLC (LESSEE): Termination of an agreement and consideration of an agreement and consent to encumbrance of Lease Number PRC 9084.1, a General Lease - Recreation, Protective Structure and

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- Other Use, of sovereign land adjacent to San Francisco Bay in Burlingame, San Mateo County; for construction of a portion of the San Francisco Bay Trail, a driveway, and interim improvements to Fisherman's Park including public parking. CEQA Consideration: not a project. (PRC 9084; RA# 2020335) (A 22; S 13) (Staff: A. Franzoia)
- 27 CITY OF PACIFICA (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Pacific Ocean, near Pacifica, San Mateo County; for a public fishing pier and seawall. CEQA Consideration: categorical exemption. (Lease 4585; A2821; RA# 2020113) (A 22; S 13) (Staff: D. Tutov)
- 28 WILLARD C. COLLINS (LESSEE): Consider termination of General Lease - Recreational Use, of sovereign land located in Middle River, adjacent to Assessor's Parcel Number 129-060-03, near Stockton, San Joaquin County; for a dock, landing, covered platform, water ski jump, 22-buoy slalom course, and appurtenant facilities; refunding rent paid in error; and cancellation of outstanding rent invoices. CEQA Consideration: not a project. (Lease 7189) (A 13; S 5) (Staff: V. Caldwell)
- 29 DENICE A. DERICCO AND GAIL B. DERICCO, TRUSTEES OF THE DERICCO FAMILY REVOCABLE TRUST (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 4075 Garden Highway, near Sacramento, Sacramento County; for an existing covered boat dock with slip and boat lift, and appurtenant facilities previously authorized by the Commission and existing bank protection not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 5126; A2662; RA# 2020031) (A 7; S 6) (Staff: J. Holt)
- 30 KIMBERLY JANE GUNSCH (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Steamboat Slough, adjacent to 13980 Grand Island Road, near Walnut Grove, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease

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- 5914; A2865; RA#2020353) (A 11; S 3) (Staff: G. Asimakopoulos)
- 31 RANDI K. MARTIN AND JAMES A. BAKKEN (APPLICANT): Consider application for a General Lease - Recreational and Residential Use, of sovereign land located in the Petaluma River, adjacent to 116 Harbor Drive, near Novato, Marin County; for a portion of an existing cabin, shed, walkway, decks, access ramp, and dock. CEQA Consideration: categorical exemption. (Lease 2651; A2819; RA# 2020069) (A 10; S 2) (Staff: J. Holt)
- 32 JOHN F. NELSON, TRUSTEE OF THE JOHN F. NELSON FAMILY TRUST, DATED NOVEMBER 17, 2016 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 4161 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, boat lift, and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 5141; A2674; RA# 2020290) (A 9; S 6) (Staff: S. Avila)
- 33 NICHOLAS E. WHITNEY, TRUSTEE OF THE SEAHAVEN TRUST DATED SEPTEMBER 22, 2017 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Tomales Bay, adjacent to 98 Camino Del Mar, near Inverness, Marin County; for an existing pier, boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 5095; A2712; RA# 20200953) (A 11; S 3) (Staff: D. Tutov)

Central/Southern Region

- 34 BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT (LESSEE): Consider request for acceptance of a late Extension Payment, Lease Number PRC 9364, a General Lease - Beach Replenishment and Protective Structure Use, of sovereign land located in the Pacific Ocean at Broad Beach, Malibu, Los Angeles County. CEQA Consideration: not a project. (Lease 9364; RA# 2020350) (A 50; S 27) (Staff: D. Simpkin)

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- 35 NATIONAL PARK SERVICE - CHANNEL ISLANDS NATIONAL PARK (LESSEE): Consider amendment of Lease Number PRC 8390, a General Lease - Public Agency Use, of sovereign land located in the Pacific Ocean, Anacapa Island, Ventura County; for the replacement of the existing Anacapa Island dock and installation of nine new pilings. CEQA Consideration: categorical exemption. (Lease 8390; A2946; RA# 2020310) (A 37; S 19) (Staff: D. Simpkin)
- 36 OAK HILLS ESTATE, LLC (LESSEE): Consider amendment to Lease 9570, a General Lease - Other, of sovereign land located in the Burton Mesa Ecological Reserve, near Lompoc, Santa Barbara County; to extend the construction-must-start-by date. CEQA Consideration: Environmental Impact Report, certified by Santa Barbara County, State Clearinghouse No. 2015111069. (Lease 9570; A2494; RA# 2020314) (A 35; S 19) (Staff: K. Connor)
- 37 JAMES HOYT O'NEAL AND NANCY DEE BARDEN O'NEAL, TRUSTEES OF THE O'NEAL FAMILY TRUST UNDER TRUST AGREEMENT DATED JUNE 21, 2001 (LESSEE/ASSIGNOR) JEFFRY D. WATKINS AND JEANNINE K. WATKINS, TRUSTEES OF THE JEFFRY D. WATKINS AND JEANNINE K. WATKINS FAMILY TRUST DATED MARCH 26, 2001 (APPLICANT/ASSIGNEE): Consider assignment of a General Lease - Protective Structure Use, of sovereign land located adjacent to 211 Pacific Avenue, Solana Beach, San Diego County; for a portion of an existing seawall and associated seacave/notch fill. CEQA Consideration: not a project. (Lease 8182; RA# 2020347) (A 78; S 39) (Staff: D. Simpkin)
- 38 PG MARINA INVESTORS II (LESSEE): Consider amendment to Lease 9525, a General Lease - Commercial Use, of sovereign land located in the Main Channel of Huntington Harbour, Huntington Beach, Orange County; for the installation, use, and maintenance of a new public fishing dock. CEQA Consideration: categorical exemption. (Lease 9525; RA#2020118) (A 72; S 34) (Staff: D. Simpkin)

School Lands

- No Items for this section

Mineral Resources Management

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- 39 CITY OF LONG BEACH (GRANTEE): Consider approval of subsidence monitoring costs for vertical measurements and studies for the 2021-2022 Fiscal Year, City of Long Beach, Los Angeles County. CEQA Consideration: categorical exemption. (W 10443) (A 70; S 33, 34) (Staff: P. Regan)
- 40 CITY OF LONG BEACH (GRANTEE): Consider acceptance of the Long Beach Unit Program Plan (July 1, 2021, through June 30, 2026), and the Annual Plan (July 1, 2021, through June 30, 2022), Long Beach Unit, Wilmington Oil Field, Los Angeles County. CEQA Consideration: not a project. (W 17166) (A 70; S 33, 34) (Staff: J. Abedi)
- 41 OCCIDENTAL COLLEGE (APPLICANT): Consider application for a General Offshore Geophysical Survey Permit to conduct low-energy geophysical surveys on granted and ungranted tide and submerged lands statewide, from the mean high-tide line to 3 nautical miles offshore, under the jurisdiction of the California State Lands Commission. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, State Clearinghouse No. 2013072021. (A2950; RA#2020309) (A & S: Statewide) (Staff: C. Fox)

Marine Environmental Protection

- 42 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider approval of proposed amendments to sections 2291, 2292, 2293, 2294, 2295, 2296 and 2297 of the California Code of Regulations, Title 2, Division 3, Chapter 1, Article 4.7. CEQA Consideration: categorical exemption. (W 9777.234) (A & S: Statewide) (Staff: L. Ceballos Osuna, E. Kennedy)

Administration

- No items for this section

Legal

- 43 CALIFORNIA STATE LANDS COMMISSION, CALIFORNIA DEPARTMENT OF WATER RESOURCES (PARTIES): Consider authorizing acceptance of a Transfer of Jurisdiction of certain property interests from the California

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Department of Water Resources to the Commission and entering into a Memorandum of Agreement to facilitate coordination and review of a proposed carbon capture and sequestration project application on Sherman Island, Sacramento County. CEQA Consideration: not a project. (I2534) (A 11; S 3) (Staff: A. Kershen)

Kapiloff Land Bank Trust Acquisition/Expenditure

- No items for this section

External Affairs

Granted Lands

- No items for this section

VI Informational Calendar

- No items for this section

VII Regular Calendar 44-47

44 CALIFORNIA STATE LANDS COMMISSION: Consider adopting a resolution in support of directing funding from the American Rescue Plan Act to California ports to mitigate negative economic impacts resulting from the COVID-19 pandemic and allow them to sustain the essential services and maintain the critical infrastructure California relies on to protect jobs and recover economically. CEQA Consideration: not a project. (A & S: Statewide) (Staff: S. Pemberton, R. Boggiano) 25

45 CALIFORNIA STATE LANDS COMMISSION: Discussion and possible action on state legislation relevant to the California State Lands Commission. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton) 42

46 CALIFORNIA STATE LANDS COMMISSION: Consider supporting S. 572, the Border Water Quality Restoration and Protection Act, a bill introduced by Senators Feinstein and Padilla to reduce

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pollution along the U.S.-Mexico border and improve the water quality of the Tijuana River and New River, and consider supporting H.R. 1663 by Representative Juan Vargas that is intended to restore water quality at the Tijuana River and New River. CEQA Consideration: not a project. (A & S: Statewide) (Staff: S. Pemberton)	45
47 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider extending the sunset date of the limited delegation of authority to the Executive Officer for the COVID-19 Rent and Application Expense Deferral Program previously authorized by the Commission. CEQA Consideration: not a project. (W9301) (A & S: Statewide) (Staff: B. Bugsch, K. Foster)	51
VIII Public Comment	54
IX Commissioners' Comments	55
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PROCEEDINGS

1
2 CHAIRPERSON KOUNALAKIS: I call this meeting of
3 the State Lands Commission to order.

4 I am Lieutenant Governor Eleni Kounalakis.

5 Welcome to our completely virtual State Lands
6 Commission meeting.

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

9 EXECUTIVE OFFICER LUCCHESI: Certainly.

10 State Controller Betty Yee?

11 COMMISSIONER YEE: Here.

12 EXECUTIVE OFFICER LUCCHESI: Gayle Miller
13 representing the Department of Finance?

14 ACTING COMMISSIONER MILLER: Here.

15 EXECUTIVE OFFICER LUCCHESI: Chair and Lieutenant
16 Governor Eleni Kounalakis?

17 CHAIRPERSON KOUNALAKIS: Present.

18 EXECUTIVE OFFICER LUCCHESI: Madam Chair, we have
19 a quorum present. In addition, I would like to identify
20 the members of the staff of the Commission and the
21 Attorney General present for this virtual meeting.

22 I am Executive Officer Jennifer Lucchesi. And I
23 am joined by Chief Counsel Seth Blackmon, meeting liaison
24 Kim Lunetta, Assistant Executive Officer Colin Connor,
25 Supervising Deputy Attorney General Andrew Vogel, our Zoom

1 co-hosts Katie Robinson-Filipp, Mike Farinha, and Phil
2 Schlatter. We also have a number of division chiefs, and
3 assistant chiefs, and staff as well, as panelists on this
4 Zoom meeting to help with the meeting and answer any
5 questions you may have.

6 I'll turn it back to you, Chair Kounalakis.

7 CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.
8 Lucchesi.

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

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

23 I want to take a moment to honor the California
24 Native American communities all across the state for
25 persisting, carrying on diverse cultural and linguistic

1 traditions, and sustainably managing the land that we now
2 share. Native people have maintained a constant presence
3 on the landscape for many thousands of years and they are
4 essential stewardship partners, whether along the coast,
5 along our rivers and valleys, or in our fragile deserts.

6 We thank California Native American communities
7 for participating in this Commission's activities and for
8 their essential role in maintaining and adding to our
9 State's rich cultural legacy. The next item of business
10 will be public comment. Before I open public comment
11 periods for items not on the agenda, first, let me thank
12 everyone, especially our stakeholders and members of the
13 public for taking the time to join our virtual meeting.
14 While these virtual meetings are becoming more and more
15 routine, this is still a relatively new experience for
16 most of us. And we appreciate your support and patience
17 as we work together on this virtual platform.

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

22 Ms. Lucchesi.

23 EXECUTIVE OFFICER LUCCHESI: Thank you, Chair
24 Kounalakis.

25 First, everyone, please make sure you have your

1 microphones or phones muted to avoid any background noise.
2 For members of the public, if you would like to speak
3 either during our open public comment period or during a
4 public comment period that is part of an agenda item, you
5 will need to do so in one of two ways. First, if you are
6 attending on the Zoom platform, please raise your hand in
7 Zoom. If you are new to Zoom and you joined our meeting
8 using the Zoom application, click on the hand icon at the
9 bottom of your screen. When you click on that hand, it
10 will raise your hand.

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

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

25 After you are called on, you will be unmuted so

1 that you can share your comments. Please also remember to
2 unmute your computer or phone and identify yourself.
3 Remember you have a limit of three minutes to speak on an
4 item. Please keep your comments respectful and focused.
5 We will mute anyone who fails to follow these guidelines
6 or at worst dismiss them from the meeting.

7 Finally, every now and then, you will hear me
8 refer to our -- the meeting host. Our Commission staff
9 are acting as hosts for the meeting behind the scenes to
10 ensure that the technology moves the meeting forward
11 smoothly and consistently. The Commission has also
12 established an email address to compile public comments
13 for our meetings. It's address is
14 cslc.commissionmeetings@slc.ca.gov. We have received
15 various emails from parties that have been shared with all
16 the commissioners prior to the meeting. If we receive any
17 emails during the meeting, they will be shared with the
18 commissioners and be made available on our website, along
19 with the public comment emails we have already received.

20 Chair Kounalakis, that concludes my virtual
21 meeting instructions. We're ready to move to the general
22 public comment period.

23 CHAIRPERSON KOUNALAKIS: Thank you so much.

24 Our next order of business is the public comment
25 period. If anyone would like to address the Commission on

1 any matter not on today's agenda, please raise your hand
2 and you will have three minutes to do so.

3 Katie, please call on the first person who would
4 like to make public comment.

5 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
6 you, Chair Kounalakis.

7 For the first public comment today, we have Tom
8 Rudolph.

9 MR. RUDOLPH: Thank you, Katie. And good
10 afternoon, Chair Kounalakis, members of the Commission and
11 staff. Can you hear me okay?

12 CHAIRPERSON KOUNALAKIS: Yes, we can.

13 MR. RUDOLPH: Okay. Thank you. Great.

14 My name is Tom Rudolph. I'm here today
15 representing The Pew Charitable Trusts. And I just want
16 to very briefly say thank you to the Commission and
17 congratulations for your outstanding efforts last year
18 that resulted in the passage of your new strategic plan a
19 couple of months ago.

20 We were a new participant to the Commission
21 process and we came to the Commission just over a year ago
22 introducing a new issue, which was our concerns with the
23 Commission's current policy and regulations governing
24 seabed mining on State submerged lands off the west coast.

25 We greatly appreciated the Commission's extended

1 scoping period throughout 2020, which allowed us to have a
2 good back and forth, and bring new information on multiple
3 occasions. We greatly appreciated the Commission
4 dedicating time and effort to research this new issue we
5 raised and to consider and propose a path forward in the
6 new strategic plan, which we thought was a great next
7 step. And we are very much looking forward to those next
8 steps. And so just very briefly wanted again to say a
9 sincere thank you on behalf of our organization and that
10 we're very much looking forward to further collaboration.

11 Thank you.

12 CHAIRPERSON KOUNALAKIS: Thank you very much.

13 Katie, please call on the next speaker.

14 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
15 you. Our next speaker is Brett Balint.

16 MR. BALINT: Hello, everyone. Good morning. I
17 do have some slides that I emailed in earlier. Could I --
18 are those queued up by chance?

19 CHAIRPERSON KOUNALAKIS: Katie, are we able to
20 see Mr. Balint's slides.

21 (Thereupon a slide presentation.)

22 CHAIRPERSON KOUNALAKIS: Okay. There they --
23 there they are.

24 MR. BALINT: There they are.

25 CHAIRPERSON KOUNALAKIS: Go ahead, Mr. Balint.

1 MR. BALINT: Hello, everyone. Last year, --
2 maybe two and a half years ago, I presented to the
3 Commission some concepts of some things. And I just want
4 to bring a little through with some things that are near
5 term for us. We've heard about this term urban air
6 mobility. You may have heard some other terms that are
7 out there, regional air mobility. Now even NASA is
8 pushing advanced air mobility.

9 So let's steep into it here.

10 --o0o--

11 We are -- please, the next slide, if you could.

12 --o0o--

13 MR. BALINT: Let's ask why about other
14 operational safety challenges, what's necessary at the
15 public engagement and how do we inspire to move forward
16 here.

17 Next slide, please.

18 --o0o--

19 MR. BALINT: A little bit of animation there, a
20 little chugging along. You see that we're engaging many
21 forms of engagement. Most important thing to discuss here
22 today with the Commission is the scalable infrastructure.
23 We're already speaking with many other organizations that
24 are like the Joby Aviation and other California-based
25 companies that are building these craft. You may know

1 they're up in the marina area.

2 But next slide, please.

3 --o0o--

4 MR. BALINT: The scale of infrastructure element
5 discussed really is repurposing other properties that are
6 around in California that can be used to flesh out the
7 system. And we have a website, as you can see, there are
8 some things there. We're still in lowdown mode with a few
9 things. But there's other properties that can really be
10 well repurposed, reused, and for reverted ports, sky ports
11 of this nature.

12 Next slide, please.

13 --o0o--

14 MR. BALINT: And how do we inspire the public to
15 get engaged with this. It's not just here for the people
16 with resources. It's for people with all that need to go
17 some place, to get somewhere, to get home to family
18 quickly. And we'll keep pushing along here to the next
19 side.

20 --o0o--

21 MR. BALINT: But we want to really make sure that
22 we're engaging all parties to this. And that's not easy.
23 It takes time. It takes education. It takes what is very
24 common that we're finding is the fear of flight. Are
25 people going to be getting in these craft? Are they

1 different from helicopters?

2 So we're engaged in a global education process
3 for that right now and we'll be discussing that more in
4 Q3.

5 Next slide, please.

6 --o0o--

7 MR. BALINT: So I don't believe it was discussed
8 previously. We know that Rincon Island is coming down to
9 a close. And we're very glad that everything has gone
10 there and accelerate very well. We see this as a way to
11 repurpose and reutilize this, as well as other properties
12 around the state, country fair grounds that are
13 under-utilized, as an example, and other locations. We're
14 on in another location right now and have some other
15 meetings at the federal level discuss other properties
16 around the country and to reutilize this way as well.
17 We're looking forward to engaging further and thank you
18 very much for your time today.

19 CHAIRPERSON KOUNALAKIS: Thank you.

20 Katie, do we have the next speaker, please.

21 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Sorry
22 about that. Our next speaker is Alison Madden.

23 CHAIRPERSON KOUNALAKIS: Alison, you can go
24 ahead.

25 Alison, are you there?

1 Alison, can -- if you're there, can you check and
2 see if your mute button is turned off? We cannot hear
3 you.

4 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: There
5 might be an issue with her audio. Alison, if you've
6 called in by a number, could you please hit star nine, so
7 that you'll be able to raise your hand and I can allow you
8 to talk?

9 CHAIRPERSON KOUNALAKIS: Alison, could you hit
10 start nine on your phone. We still cannot hear you.

11 AGP VIDEO: If you are hearing us, this is Bob
12 Lloyd with AGP video, my cell number for technical support
13 is (805)801-3576. That's (805)801-3576 for any support
14 issues.

15 CHAIRPERSON KOUNALAKIS: Thank you, Bob.

16 Katie, why don't you tee up the next speaker.
17 And Alison, if you can call Bob to get some assistance, so
18 that we can get you back in the queue.

19 Katie.

20 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
21 you, Chair Kounalakis. At this time, we have no other
22 hands raised.

23 CHAIRPERSON KOUNALAKIS: Oh.

24 EXECUTIVE OFFICER LUCCHESI: May I make a
25 suggestion, Chair Kounalakis. Alison did provide us with

1 a number of emails and documents that we had forwarded on
2 to the commissioners yesterday. And so maybe we could
3 move on to the next order of business. And if we are able
4 to address her technical difficulties, we can come back to
5 public comment at a time that's most convenient for the
6 Commission.

7 CHAIRPERSON KOUNALAKIS: Maybe Ms. Lucchesi, just
8 very briefly, you can share what the content of her
9 communications included.

10 EXECUTIVE OFFICER LUCCHESI: They were quite
11 dense. So I'm a little hesitant to go through all of that
12 for fear of not being able to represent exactly what she
13 wanted to convey to the Commission. Her general comments
14 are the concerns that she has raised previously about the
15 transition of the community at Docktown off of their --

16 CHAIRPERSON KOUNALAKIS: Yeah.

17 EXECUTIVE OFFICER LUCCHESI: -- liveaboard
18 vessels to other areas and the impacts that that's had on
19 the residents and families impacted by that.

20 CHAIRPERSON KOUNALAKIS: Okay. Thank you so
21 much, Ms. Lucchesi. And unless we're able to get her back
22 up, we will move on and that concludes our public comment
23 period.

24 The next item of business --

25 AGP VIDEO: Excuse me for interrupting. Bob

1 Lloyd with AGP Video, I have been able to speak with
2 Alison. And so she can -- she is calling in by phone.

3 CHAIRPERSON KOUNALAKIS: Okay.

4 AGP VIDEO: So I'm going to allow her to talk.
5 And if you could press star six on your phone to unmute.

6 CHAIRPERSON KOUNALAKIS: I see her, I think.

7 AGP VIDEO: All right. Let's see if she can...

8 CHAIRPERSON KOUNALAKIS: There she is, I think.
9 Yeah. No.

10 AGP VIDEO: Alison, are you there?

11 CHAIRPERSON KOUNALAKIS: The mute button is
12 still --

13 AGP VIDEO: Alison, I'm going to unmute the phone
14 number that we have here, because she said she called in
15 by line here. Is this Alison that I've asked to unmute?
16 And it's star six.

17 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Hey,
18 Bob.

19 AGP VIDEO: Yes, ma'am.

20 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: That
21 phone number belongs to a different person. This is
22 Katie.

23 AGP VIDEO: All right, Katie. Sorry. So Alison
24 is trying to make contact. I did speak to her on the
25 phone. I will give her a call back and see if we can fit

1 her in in a more appropriate time.

2 EXECUTIVE OFFICER LUCCHESI: Actually, Mr. Lloyd,
3 we do have a phone number that just popped up that ends in
4 066.

5 AGP VIDEO: Okay. Let's allow that to speak.

6 Alison, is that you?

7 MS. MADDEN: It is. Thank you.

8 CHAIRPERSON KOUNALAKIS: Okay. Wonderful.

9 Alison, you have -- thank you for persevering. You have
10 three minutes to address the Commission.

11 MS. MADDEN: Thank you so much. I really
12 appreciate it.

13 So I wanted to give a report back and to just ask
14 for some continued support and potentially some action. I
15 have spoken before. The pretty narrow issue that we're
16 asking about right now, which is Public Resources Code
17 section 6009.1(c)(13) and the role that it played in a
18 recent First District Court of Appeal decision. It's
19 unpublished, but still very important and kind of high
20 profile.

21 And I did speak to our Senator Becker,
22 Assemblymember Mullin, Assemblymember Bonta before he was
23 confirmed. And I'm very happy that we have our AG
24 confirmed as of last Friday. I've spoken to the Port of
25 San Francisco and the Port Oakland. And the Port of

1 Oakland attorney called me right after. And the Port of
2 San Francisco Chair asked me to provide materials about
3 this issue after the call and I did that. So we're really
4 in kind of a bit of an advocacy fix to what the First
5 District Court of Appeal did.

6 And I think it was -- you know, decided that
7 wrongly, but was perhaps well intentioned, but misguided.
8 And I think it's something that wasn't clear to him, is
9 that the advocacy for this issue never came from the State
10 Lands Commission or the Attorney General, and that was
11 Nicholas Tsukamaki. It came solely from the private party
12 who had one 1.5 million to gain and to win by really
13 advancing any argument that could possibly help him win,
14 which is not irrational when you're in litigation. But
15 what it has resulted in is just a real crisis for Redwood
16 City, for the charter, for the clarity of the charter, for
17 its independent port and then also statewide for every
18 independent port.

19 And so it's a -- it's a real disaster. And we're
20 trying to clean it up. And I just wanted to say that --
21 so I've reached out to the Attorney General also as
22 Attorney General and I'm asking for, you know, some input
23 or interpretation on this. And we would just like you to
24 stay perhaps in contact with them and give us all the
25 support you can, because -- you can correct me if I'm

1 wrong, but I really do believe that the State Lands
2 Commission and Mr. Vogel in writing the letter that was
3 used as legal advice, that you didn't want to drive a
4 short-term relocation without an actual location for us to
5 go to, that you didn't want us evicted within two years,
6 and you certainly didn't want to deprive us of California
7 relocation assistance law benefits, which is what the City
8 of Redwood City has done with that letter, instead of
9 seeing that we really had plenty of time to work out
10 solutions or to attrition, certainly to be covered by the
11 Relocation Act. None of that happened.

12 So thank you. Thank you for taking this update
13 and I appreciate you listening.

14 CHAIRPERSON KOUNALAKIS: Thank you very much for
15 your comments.

16 Katie, do we have any other speakers who would
17 like to address the Commission?

18 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
19 you, Chair Kounalakis. At this time, we have no other
20 hands raised and no other members of the public on the
21 list.

22 CHAIRPERSON KOUNALAKIS: Okay. That concludes
23 our public comment period.

24 The next item of business will be the adoption of
25 the minutes from the Commission's meeting of February

1 23rd, 2021.

2 Do I have a motion to approve the minutes and a
3 second?

4 COMMISSIONER YEE: I'll move approval, Madam
5 Chair.

6 ACTING COMMISSIONER MILLER: And I'll second,
7 Madam Chair.

8 CHAIRPERSON KOUNALAKIS: Ms. Lucchesi, do we need
9 to have them show their hands on the screen that -- no,
10 that's sufficient?

11 EXECUTIVE OFFICER LUCCHESI: That's good.

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

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 CHAIRPERSON KOUNALAKIS: The next order --

1 EXECUTIVE OFFICER LUCCHESI: The motion passes
2 unanimately.

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

6 EXECUTIVE OFFICER LUCCHESI: Of course. Good
7 afternoon. I will be updating the Commissioners and the
8 public on our two decommissioning projects and also
9 announcing a personnel change.

10 So first, in regards to the Rincon well
11 abandonment and decommissioning project, we continue to
12 make great progress on this project. As I reported at our
13 last meeting, 74 of the 75 wells associated with this
14 operation have been abandoned. The last well, an onshore
15 injection well, is scheduled to be abandoned by the end of
16 this month.

17 Removal and disposal of other production related
18 equipment and structures are in progress. The
19 Commission's contractor, DrillTek, is preparing the onshore
20 and offshore areas for caretaker status. This work will
21 prepare the site for the hiatus between the end of well
22 and surface abandonment and the final island and onshore
23 decommissioning phase, after the feasibility and
24 subsequent CEQA work is completed.

25 Project expenses remain ten percent below

1 estimates and the well and surface abandonment, and
2 caretaker status preparation work is on course to be
3 completed before June 30th of this year. The feasibility
4 study, the first part of the phase two of the project, is
5 next.

6 The study will include a geophysical survey,
7 biological assessment, environmental analysis, coastal
8 engineering study, socioeconomic analysis, soil and water
9 assessments, and an engineering assessment. The
10 feasibility study is anticipated to be completed within
11 six months, after which the CEQA analysis will begin. The
12 feasibility study and the CEQA analysis will include
13 extensive public and stakeholder outreach. In fact, we
14 started that outreach on April 7th, when we hosted a town
15 hall event to update the community and stakeholders about
16 the project status and next steps. The event was well
17 received and attended by members of the Mussel Shoals
18 community in Ventura, government agencies, local
19 non-governmental organizations, and other stakeholders.

20 The Platform Holly Piers 421 decommissioning
21 project is progressing, albeit slowly. Platform Holly and
22 the plugging and abandonment work remains suspended due to
23 the COVID-19 pandemic restrictions and space limitations
24 on the platform that make physical distancing impractical.
25 Staff continues to maintain and monitor the platform and

1 onshore facilities to ensure public health and safety.
2 ExxonMobil are monitoring the COVID-19 situation and are
3 preparing for plug and abandonment work of the 30 wells on
4 the platform to hopefully resume in late summer depending
5 on the State's mandates. ExxonMobil will require all
6 personnel, their own personnel and their contractors, to
7 be vaccinated.

8 In March, the Commission hosted a virtual town
9 hall to update the community about the project status and
10 the upcoming CEQA process to remove the last remaining oil
11 piers in the shore at Haskell's Beach. The event was well
12 received and attended by numerous stakeholder groups,
13 government agencies, local non-governmental organizations,
14 and members of the public.

15 Staff expects to issue a Notice of Preparation
16 for the oil pier removal projects soon. The Commission
17 will be the CEQA lead agency and applicant for the
18 project. We're working very closely with the City of
19 Goleta and the Coastal Commission on this work. And
20 public outreach and input will be a foundational part of
21 the CEQA process.

22 And finally, I want to announce that the
23 Commission has hired a new Assistant Chief Counsel, Warren
24 Crunk. Warren Crunk started with the Commission as a
25 staff counsel in November of 2011 and quickly became

1 instrumental and an extremely valued attorney for our
2 Commission working specifically on lease compliance and
3 Lake Tahoe lease management and public access issues.
4 Warren will be replacing Pam Griggs, who started with the
5 Commission as a Graduate Legal Assistant in 2000 and has
6 held different classifications until a number of years ago
7 when she became the Assistant Chief Counsel.

8 I'm really excited about the way that our Chief
9 Counsel Seth Blackmon and Pam have worked through this
10 process to bring Warren on as our new Assistant Chief
11 Counsel, because Pam won't actually retire for a couple
12 more months. So we are actively succession planning where
13 Warren is able to shadow Pam as -- and learn about her
14 role as she starts to wind down her work and gets to move
15 on to the next phase of her life in retirement and prepare
16 Warren for the workload and the responsibilities that
17 will -- he will be responsible for as Assistant Chief
18 Counsel.

19 So we're really excited. Happy for Pam, in terms
20 of moving on to the -- with her retirement. And we're
21 really excited for the future of our legal department and
22 also for the future of the Commission with Warren as an
23 extremely valued leader in the Commission staff.

24 That concludes my Executive Officer's report and
25 I'll turn it back to you, Chair Kounalakis.

1 CHAIRPERSON KOUNALAKIS: Thank you very much for
2 your report, Ms. Lucchesi and for all of the work of the
3 staff at the -- at the Commission, for all of the work
4 that you're doing. And I also just want to thank Pam
5 Griggs for her work in bringing on and training her
6 replacement, and to you and -- Pam and to Seth, and
7 welcome to Warren to the team.

8 And it seems like maybe an appropriate time for
9 me to mention that we've had a staff transition here in
10 the Lieutenant Governor's office as well. Someone, who
11 you all know, Matt Dumlao -- Dr. Matt Dumlao who has been
12 our Chief Advisor on Environmental Policy is now our Chief
13 of Staff. So he was trained for the last few months as
14 well, Pam, just like what you've done with Warren, by
15 Panorea Avdis who's moved into the private sector. And
16 we're so grateful for all of her hard work. But I think
17 that nothing shows this office's commitment to the State
18 Lands Commission more than elevating Matt to Chief of
19 Staff, where for the time being, he is going to continue
20 to have both portfolios.

21 So with that, I will hand it over to the other
22 commissioners. Commissioner Yee, do you have any
23 comments?

24 COMMISSIONER YEE: Thank you, Chair Kounalakis.
25 Just my hearty congratulations to Pam and for a healthy

1 and rewarding retirement. And really appreciate the
2 staff's commitment for a smooth transition, always
3 appreciative of that. But also just never enough thanks
4 to continuing these virtual meetings and continuing the
5 business of the Commission, which I think really with the
6 broad public participation just speaks to the importance
7 of the work that we continue to do as a Commission and
8 really appreciate the staff making all this possible.

9 Thank you.

10 CHAIRPERSON KOUNALAKIS: Commissioner Miller,
11 questions or comments?

12 ACTING COMMISSIONER MILLER: No, thank you, Madam
13 Chair. Just also wanted to add my congratulations to Pam.
14 I think, you know, those that choose to serve the public
15 often do so quietly and without credit for all the small
16 incremental ways in which they make a huge difference.
17 And I think Pam's legacy really shows that those
18 incremental things have made just a huge difference to
19 California, and to our coastline, and our environment. So
20 huge, huge gratitude for all you've done and wishing you
21 all the very best in your -- in your retirement. And
22 congratulations too to Matt. I think that's really
23 exciting. So thank you, Madam Chair, and always to the
24 staff of course.

25 CHAIRPERSON KOUNALAKIS: Thank you.

1 The next order of business will be the adoption
2 of the consent calendar. Commissioner Yee, Commissioner
3 Miller, are there any items you would like removed from
4 the consent calendar?

5 Next, I call on Ms. Lucchesi to indicate which
6 items, if any, have been removed from the consent
7 calendar.

8 EXECUTIVE OFFICER LUCCHESI: We have not and I
9 don't plan to remove any items from the consent agenda.

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

14 Katie?

15 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
16 you, Chair Kounalakis. At this time, we have no hands
17 raised.

18 CHAIRPERSON KOUNALAKIS: Okay. Then we will now
19 proceed with the vote. May I have a motion to adopt the
20 consent agenda and a second.

21 COMMISSIONER YEE: So moved, Madam Chair.

22 ACTING COMMISSIONER MILLER: Second.

23 CHAIRPERSON KOUNALAKIS: We have a motion by
24 Commissioner Yee and a second by Commissioner Miller. Ms.
25 Lucchesi, will you please conduct a roll call vote.

1 EXECUTIVE OFFICER LUCCHESI: Commissioner Yee?

2 COMMISSIONER YEE: Aye.

3 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

4 ACTING COMMISSIONER MILLER: Aye.

5 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

6 CHAIRPERSON KOUNALAKIS: Aye.

7 EXECUTIVE OFFICER LUCCHESI: The motion passes
8 unanimately.

9 CHAIRPERSON KOUNALAKIS: The next order of
10 business will be the regular calendar.

11 Item 44 is to consider adopting a resolution in
12 support of directing funding from the American Rescue Plan
13 Act to California ports to mitigate negative economic
14 impacts resulting from the COVID-19 pandemic. May we have
15 the presentation, please.

16 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: Good
17 afternoon, Madam Chair and Commissioners. My name is Reid
18 Boggiano and I am a staff person in the External Affairs
19 Division at the Commission.

20 Staff is requesting that the Commission adopt a
21 resolution in support of directing funding from the
22 American Rescue Plan Act to California ports to mitigate
23 negative economic impacts resulting from the COVID-19
24 pandemic. The American Rescue Plan Act of 2021, also
25 called the COVID-19 stimulus package, is a 1.9 trillion

1 economic stimulus bill signed into law in March 2021 to
2 accelerate the United States' recovery from the economic
3 and health effects of the pandemic.

4 It's the first financial relief tool that's been
5 available to California ports. As you may recall at the
6 Commission's February 2021 meeting, the Ports of San
7 Francisco, Oakland, Long Beach, Los Angeles, and San Diego
8 briefed the Commission on their contributions to the
9 statewide COVID response and the challenges the ports face
10 given the related economic impacts.

11 The ports also spoke to the Commission about
12 their significant contributions to their local and
13 regional communities in response to the pandemic,
14 including the logistics involved with securing and
15 providing personal protective equipment, food security,
16 emergency response, rent deferrals for commercial tenants,
17 and facilitating and providing services to those
18 experiencing homelessness. Ports played and are
19 continuing to play a critical role in efforts to contain
20 the virus, protect public health, and ensure basic needs
21 are delivered to residents and local businesses.

22 A few examples of these include: distributing
23 personal protective equipment at San Francisco's Pier 29;
24 housing homeless individuals in the San Diego Convention
25 Center; berthing the USNS Mercy in Los Angeles; and

1 assisting disembarkation and repatriation of Grand
2 Princess passengers at the Port of Oakland and the Oakland
3 International Airport.

4 Throughout this pandemic, California ports have
5 remained open and fully operational, providing essential
6 services and critical infrastructure to benefit the State
7 and the nation. At the same time, certain California
8 ports have experienced unprecedented hardships and the
9 revenues have plummeted because of the pandemic. The U.S.
10 Travel and tourism industry has been devastated and
11 revenue has dramatically decreased for recreational ports,
12 such as San Francisco and San Diego. Business travel,
13 tourism, convention, hospitality industries are some of
14 the main sources of support for these independent public
15 agencies.

16 Some California ports have faced over 50 percent
17 declines in revenue compared to last year. The Port of
18 San Francisco revenues have fallen to 50 percent of their
19 pre-pandemic levels for a loss of 60 million this year, 80
20 million over the next two years, and 100 million over the
21 next five years. For context, the Port of San Francisco
22 has a budget of only 110 million. As an enterprise within
23 the city and county of San Francisco, the Port supports
24 all operations and capital budget with its own revenues.

25 The Port of Oakland has seen a direct loss of

1 four million in planned revenue associated with its
2 commercial real estate operations. The port has in turn
3 offered rent credits and deferrals to many lessees to
4 stabilize their finances and secure their leases. Federal
5 relief provided to airports cannot be used for
6 non-aviation purposes. The Port of San Diego forecasts a
7 loss of 98 million in operating revenue since the pandemic
8 hit. This is the largest revenue shortfall in the port's
9 history. For context, the Port of San Diego has a budget
10 of approximately 200 million.

11 The American Rescue Plan will allow the State of
12 California to help California ports recover from the
13 devastating financial impacts of the pandemic, but only if
14 the State directs funding to them. Financial relief will
15 help ensure that ports can maintain basic operations and
16 services while building new long-term revenue streams and
17 placing ports on stable financial footing to carry out
18 their mission.

19 In closing, staff recommends the Commission
20 opt -- opt a -- adopt a resolution in support of directing
21 funding from the American Rescue Plan Act to California
22 ports to mitigate negative economic impacts resulting from
23 COVID-19 and allow them to sustain the essential services
24 and critical infrastructure our state and region need to
25 protect jobs and recover economically. This concludes my

1 presentation and I'm happy to answer any questions.

2 CHAIRPERSON KOUNALAKIS: Thank you very much for
3 that presentation.

4 Commissioner Yee, do you have any questions or
5 comments?

6 COMMISSIONER YEE: Not a question, but a comment,
7 Madam Chair. And thank you for your leadership on this
8 issue too, Madam Chair. Just as I support this
9 resolution, I think it's really critical. We've seen each
10 of the ports really step up in extraordinary ways during
11 this public health crisis, while still maintaining
12 operations. And, you know, just having been working a
13 long time in the whole space of local government finance,
14 ports oftentimes are considered the stepchild of any kind
15 of funding that's available. And I really just want to
16 applaud the ports and our House Speaker Nancy Pelosi for
17 including the transfer authority in the federal bill that
18 will allow the state to make a provision for our ports and
19 hope that we can support that with this resolution.

20 Thank you.

21 CHAIRPERSON KOUNALAKIS: Commissioner Miller,
22 comments or questions?

23 ACTING COMMISSIONER MILLER: Just briefly. I'm
24 actually going to abstain from this item, Madam Chair, as
25 we're preparing for the May revision, but (inaudible) our

1 commit and gratitude to the ports, and realize what a
2 pivotal role they've played and especially over the last
3 year, but for a really long time. So appreciate that.
4 Thank you.

5 CHAIRPERSON KOUNALAKIS: Thank you, Commissioner
6 Miller.

7 And let me just say that I've already been
8 speaking out on this issue, and sent a letter to the
9 Governor about it as we move forward with May revision.
10 Healthy ports in California are critically important for a
11 healthy economy in California. We estimate that about one
12 out of every five jobs in the state of California is
13 connected to international trade and tourism. And our
14 ports are home to both, trade and tourism.

15 On the trade front, when it comes to shipping
16 activity, ports in California, which are primarily focused
17 on containerized shipping, they're actually doing fine.
18 But the ports that are primarily focused on tourism are
19 getting really hit hard. And as Commissioner Yee
20 mentioned, they are often the stepchild when it comes to
21 funding.

22 So the clear action on the part of Congresswoman
23 Speaker Nancy Pelosi to include the transfer authority to
24 be able to support our ports was intentional, and -- I
25 believe, and we are -- I am very, very supportive of this

1 resolution. And I believe that it will send a strong
2 signal to the Governor's office of the importance of
3 helping our ports during this difficult time when our
4 ports, particularly the ones engaged in tourism, are doing
5 so much to help those small businesswomen and small
6 businessmen who are trying to stay afloat with their, you
7 know, restaurants and shops that cater to tourism. The
8 management of our ports is doing everything possible to
9 try to help those businesses. For the State to step up at
10 this point and help the ports help Californians is just
11 really smart policy.

12 So with that, do we have a motion?

13 COMMISSIONER YEE: I'll move --

14 CHAIRPERSON KOUNALAKIS: Madam Chair, we do have
15 a number of public commenters.

16 COMMISSIONER YEE: Speakers, yes.

17 CHAIRPERSON KOUNALAKIS: Oh, I'm so sorry.

18 EXECUTIVE OFFICER LUCCHESI: That's okay.

19 CHAIRPERSON KOUNALAKIS: First, before we put a
20 motion on the table, I would like to ask Katie if she can
21 introduce our public speakers on wishing to make comments
22 on this item.

23 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
24 you, Madam Chair. Our first public speaker is Joe
25 Stuyvesant and then that will be followed by Elaine

1 Forbes.

2 MR. STUYVESANT: Chair Kounalakis, commissioners,
3 Joe Stuyvesant here from the Port of San Diego. I had
4 several prepared remarks to make, but based on the
5 comments that you have already made and the staff report,
6 I'm just extraordinarily grateful and thankful for the
7 recognition at your level for what's happening with the
8 ports. And so I'm just going to shorten my remarks to say
9 thank you to the staff, thank you to the Executive
10 Director, Chair, thank you, and commissioners, thank you.
11 We greatly appreciate you considering this, and taking it
12 up, and supporting us for all the great reasons that you
13 yourselves mentioned just a few moments ago.

14 And finally, thanks to -- we want to thank
15 Speaker Pelosi's office for the foresight to include this
16 in the legislative language to provide the opportunity for
17 us. And with that, I'll leave it there.

18 Thank you so much.

19 CHAIRPERSON KOUNALAKIS: Thank you very much.
20 Katie, our next speaker.

21 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
22 you. Our next speaker is Elaine Forbes.

23 MS. FORBES: Good afternoon, Chair Kounalakis,
24 members of the Commission, and Director Lucchesi. My name
25 is Elaine Forbes and I'm the Executive Director of the

1 Port of San Francisco and I'm very honored to address the
2 State Lands Commission this afternoon.

3 When the COVID-19 pandemic hit, the Port provided
4 our land and expertise for key state, regional, and local
5 services. And as has been noted, my staff has already
6 briefed the Commission in February on these efforts. And
7 as has been noted, our ports have remained fully opened
8 and operational during the pandemic, ensuring that
9 essential services are delivered.

10 However, during the past year, the hospitality
11 services such as cruise, hotels, restaurants, tourist
12 attractions, and conventions slowed or stop altogether.
13 Recreational ports like ours have borne the brunt of these
14 losses as tourism and hospitality industries are one of
15 our main sources of revenue. We are experiencing abrupt
16 and dramatic revenue shortfalls forcing us to cut our
17 budgets in severe ways. Our capital budget is below
18 lifeline support. We've used our savings. And we're
19 facing laying off really essential employees without
20 support.

21 We are experiencing the most challenging moments
22 in the port's history. Our revenues have fallen 50
23 percent for a loss of 60 million and a projected 80
24 million over the next two years. This in a budget of only
25 110 million. Despite all these losses, ports have not

1 been included in previous federal COVID relief. The
2 American Rescue Plan can remedy that and help us mitigate
3 these devastating impacts.

4 With 60 million loss to date and a projected
5 five-year economic recovery for us, it's really imperative
6 that the Port of San Francisco receive these stimulus
7 dollars to maintain basic operations and services while
8 we're building new long-term revenue streams to invest in
9 our facilities, in our tenants, and in the economy. As
10 you know, the Port is an economic engine and should be
11 positioned to aid in economic recovery.

12 Our waterfront is home to over 500 tenants, 1,200
13 customers, many of these are small businesses and are
14 family operated, such as our small restaurants, fish
15 processors, boutique retails, recreational excursions,
16 among others. We have provided tenant re -- rent relief
17 to these tenants, who have reduced services or closed
18 entirely because of the pandemic, so that we can all
19 recover together.

20 I ask the Commission to consider these very
21 challenging circumstances and I ask the Commission to vote
22 in favor of the resolution to provide American Rescue Plan
23 Act funding to California ports to backfill our revenue
24 losses resulting from the pandemic. And I thank you so
25 much for your time.

1 CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.
2 Forbes. And as a former San Francisco Port Commissioner,
3 I can attest to the prudence with which you run your
4 operation and your team there.

5 So with that, may we have a motion to adopt
6 staff's recommendation.

7 EXECUTIVE OFFICER LUCCHESI: We actually have a
8 couple more --

9 CHAIRPERSON KOUNALAKIS: Oh.

10 EXECUTIVE OFFICER LUCCHESI: -- who wish to
11 speak.

12 CHAIRPERSON KOUNALAKIS: Okay.

13 EXECUTIVE OFFICER LUCCHESI: The Port of Oakland
14 Executive Director --

15 CHAIRPERSON KOUNALAKIS: My apologies. Okay.

16 (Laughter.)

17 EXECUTIVE OFFICER LUCCHESI: That's okay.

18 CHAIRPERSON KOUNALAKIS: Katie.

19 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Yes.
20 Thank you. Our next speaker is Boris Delepine.

21 EXECUTIVE OFFICER LUCCHESI: I believe that Boris
22 was going to speak in the event that Director Forbes could
23 not.

24 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Oh,
25 sorry about that. Thank you.

1 CHAIRPERSON KOUNALAKIS: No, that's okay.

2 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our
3 next speaker is the Executive Director of the Port of
4 Oakland, Danny Wan.

5 MR. WAN: Thank you, Commissioners, and thank
6 you, staff. I would like to join my industry colleagues
7 Elaine and Joe in just saying that again judging from the
8 comments that you commissioners made, it clearly shows
9 your leadership, and your advocacy, and your frequent care
10 and discussions with us that shows your understanding of
11 the roles of the port. So I, too, will shorten my
12 comments to say that I really appreciate your leadership,
13 commissioner -- President Kounalakis, especially for you
14 to recognize your leadership in facilitating the role that
15 the State Lands Commission appropriately play here. And
16 you're very adept in recognizing that the ports -- the
17 ports that here are managing State assets. They are State
18 Trust lands and that the State Commission -- State Lands
19 Commission would absolutely be crucial in facilitating the
20 support that goes to investment in the ports.

21 And also, Commissioner Yee, thank you. You've
22 been always there to talk about the ports and to advocate
23 on our behalf with the State leadership and the
24 legislators, as well as Commissioner Kounalakis that
25 you've done that. So thank you very much for that. And I

1 just want to make sure that we support you and we support
2 our colleagues. And the Port of Oakland, we appreciate
3 the investment that this bill would -- that this would
4 make in the ports. As many other states do support their
5 ports, California is stepping up.

6 Thank you.

7 CHAIRPERSON KOUNALAKIS: Thank you.

8 Katie, do we have any other people who wish to
9 comment?

10 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Yes.
11 So far, we have two people left, unless anyone else raises
12 their hand.

13 Our next speaker is Cassandra Costello.

14 MS. COSTELLO: Hi, there. Thank you for the
15 honor and opportunity to address this body today. And
16 thank you for your leadership on this issue. My name is
17 Cassandra Costello and I'm the Senior Vice President of
18 Public Policy and Executive Programs at the San Francisco
19 Travel Association. We are a nonprofit organization that
20 sells and markets San Francisco as a global destination to
21 leisure, business, and travelers. And I'm calling in
22 today to support the resolution to direct funding from the
23 ARP to California ports to mitigate negative economic
24 impacts resulting from the COVID-19 pandemic.

25 Travel, tourism, and hospitality sectors have

1 been hit the hardest due to the economic fallouts from the
2 COVID-19 pandemic. I'm going to take just a moment to
3 demonstrate some of the data from just this past year.
4 Just alone in San Francisco, our visitation was down 61
5 percent, our visitor spending was down 80 percent, and
6 room nights from our convention business was down 87.5
7 percent. And most devastatingly, the number of jobs
8 supported by tourism took a 76 percent decline.

9 We will not see our economy fully recovered
10 before 2025, due to a projected slower recovery of our
11 international visitors. Our industry in San Francisco
12 relies on the Port of San Francisco and the many small and
13 large businesses, as indicated by other callers, on port
14 property to support our visitors and our industry as a
15 whole.

16 As part of our economic recovery, as a city and a
17 State, we need to ensure that ports receive funding to
18 allow them to continue to operate, mitigate negative
19 economic impacts, sustain essential services, and protect
20 jobs.

21 Thank you very much for your time today.

22 CHAIRPERSON KOUNALAKIS: Thank you very much,
23 Cassandra.

24 Katie.

25 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank

1 you. Our next speaker is Alison Madden.

2 MS. MADDEN: Hello. Thank you so much for the
3 opportunity to speak on this. I wanted to say that in
4 addition to this Act, which of course has been passed and
5 is available now, I believe there will be funding in the
6 next infrastructure act, which is very popular in a
7 bipartisan way. And I think that we should advocate for
8 ports in that.

9 And then in the Green New Deal, I think there
10 will be further money available. And I support getting as
11 much funding to the ports from all three of these Acts as
12 is possible.

13 Ever since I've become involved in Redwood City
14 out at the port and in the marinas, I've become kind of a
15 port dork. And I very, very much see their incredible
16 value and they're really critical. And one thing I wanted
17 to say and this is definitely related to ports and the
18 funding for ports, and especially Green New Deal, and that
19 is the opportunity for ferries to displace commuter
20 traffic. And especially, there's been no ferry into
21 Redwood City. And the current plan is to try to bring it
22 all the way at the end of Seaport Boulevard, which creates
23 incredible last-mile challenges, both on land and water.

24 Whereas, there is a ten acre lake that was
25 created by Federal taxpayer money. And it's something --

1 it's called Peninsula Lake. It's right adjacent to
2 Docktown. And the county is the one who -- at least they
3 licensed it under the Harbor and Navigation Code in the
4 past to a private marina operator.

5 And I'd like to just call the Commissioner -- the
6 commissioners' attention. Your website is fantastic. And
7 it's just every year just more content, more documents
8 keep going up, but Redwood City's picture is old. And
9 there's a 400-slip marina with boats in it. It's empty
10 now and the old Pete's Harbor is gone now. And so it
11 would be just really nice as kind of a truth and, you
12 know, current representation to have a snapshot of what
13 Redwood City's waterfront and port area really looks like.

14 And I want to say I spend a lot of time, at least
15 twice a -- twice a month over at Oakland and Alameda, in
16 both their commercial port -- the commercial and
17 industrial port. And their entire waterfront is amazing
18 with the public access, the separated bike lanes, all of
19 the different businesses, a really engaged and activated
20 port area. Marinas everywhere that are valued and
21 cherished, and ferries going into both Alameda and
22 Oakland.

23 And I really have that vision for Redwood City.
24 And I think the money from this action you're taking
25 today, then from the infrastructure, and then from the

1 Green New Deal could potentially bring the kind of
2 funding, and ideas, and energy to Redwood City that are
3 needed.

4 And super quick on ending here, we discovered
5 that not only does the county and federal kind of really
6 have better rights to Peninsula Lake, it used to be
7 California State Lands Commission, you know, little
8 rivulets of water, but it is not fee simple title. It
9 would be a great place for a ferry. It's connected three
10 ways. It's walkable. It's transportation friendly.

11 So anyway, thank you very much for hearing me
12 out.

13 CHAIRPERSON KOUNALAKIS: Thank you very much.

14 Katie, are there any other speakers who wish to
15 address the Commission?

16 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
17 you, Madam Chair, at this time, we have no other hands
18 raised.

19 CHAIRPERSON KOUNALAKIS: Okay. And I'm proud to
20 say I found the function where I, too, can see if hands
21 are raised.

22 (Laughter.)

23 CHAIRPERSON KOUNALAKIS: So that will be helpful
24 in the future. And now do we have a motion to adopt
25 staff's recommendation?

1 COMMISSIONER YEE: Madam Chair, I so move.

2 CHAIRPERSON KOUNALAKIS: I will second.

3 Ms. Lucchesi, please call the roll.

4 EXECUTIVE OFFICER LUCCHESI: Commissioner Yee?

5 COMMISSIONER YEE: Aye.

6 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

7 ACTING COMMISSIONER MILLER: I'm abstaining,
8 please.

9 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

10 CHAIRPERSON KOUNALAKIS: Aye. Motion passes.

11 Okay. Item 45 is to receive an update on State
12 legislation relevant to the State Lands Commission. May
13 we please have the presentation?

14 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.
15 Thank you, Madam Chair and Commissioners. This is Sheri
16 Pemberton, the Chief of the External Affairs Division.

17 Staff is not recommending that the Commission
18 take a position on any State legislation at this time,
19 though we have compiled a list of all of the legislation
20 staff is tracking, which is catalogued in the staff report
21 for this item.

22 I wanted to report that the Commission, as you
23 probably recall, is sponsoring one bill this year, AB 1390
24 by Assemblymember Boerner Horvath. And that bill would
25 remove constraints that make it difficult for the

1 Commission to invest in property to generate revenue for
2 CalSTRS by authorizing the Commission to delegate
3 authority to its Executive Officer to make down payments
4 and by removing a cap on acquisition expenses and
5 clarifying that the Commission can use revenue in its
6 School Land Bank Fund for acquisition costs associated
7 with purchasing property.

8 I also wanted to highlight a couple other pieces
9 of legislation. SB 822. But real quick, I wanted to go
10 back, I overlooked that AB 1390 is going to be heard
11 tomorrow in the Assembly Natural Resources Committee and
12 it's expected to pass and be referred to the
13 Appropriations Committee.

14 So back to SB 822. That's an omnibus bill that
15 has a technical amendment to the Commission's Marine
16 Invasive Species Program. That bill passed the Senate
17 Natural Resources and Water Committee and is pending in
18 the Senate -- in the Senate Appropriations Committee. I
19 also wanted to highlight SB 824 that would authorize the
20 California Department of Tax and Fee Administration to
21 collect the Marine Invasive Species Program fee from a
22 vessel agent acting on behalf of the owner or operator.
23 And that's also a technical update to our Marine Invasive
24 Species Program statutes.

25 Other than that, staff continues to monitor

1 dozens of bills related to public lands, the environment,
2 offshore wind energy, aquaculture, plastic pollution,
3 climate change, sea level rise, and equity. And again,
4 more information about these items is available in the
5 legislative update. And that concludes my presentation
6 and thank you. And I'm happy to answer any questions.

7 CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.
8 Pemberton.

9 Commissioner Yee, do you have questions or
10 comments?

11 COMMISSIONER YEE: (Shakes head.)

12 CHAIRPERSON KOUNALAKIS: Commissioner Miller?

13 ACTING COMMISSIONER MILLER: (Shakes head.)

14 CHAIRPERSON KOUNALAKIS: Katie, do we have any
15 public comments on this item?

16 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
17 you, Madam Chair. At this time, we have no hands raised.

18 CHAIRPERSON KOUNALAKIS: All right. May I have a
19 motion to adopt staff's recommendation and a second?

20 EXECUTIVE OFFICER LUCCHESI: This item is an
21 informational item. We're not recommending any action.

22 CHAIRPERSON KOUNALAKIS: Of course.

23 Okay. Then let's move to the next item. Item 47
24 is to consider extending the sunset date of the limited
25 delegation of authority to the Executive Officer for the

1 COVID-19 Rent and Application Expense Deferral Program,
2 previously authorized by the Commission.

3 May we have the presentation.

4 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis,
5 actually, we skipped --

6 CHAIRPERSON KOUNALAKIS: Did I go out of order?

7 EXECUTIVE OFFICER LUCCHESI: Yes. It's okay
8 though.

9 CHAIRPERSON KOUNALAKIS: You know, I looked up at
10 you to see. I'm sorry. I'm so sorry.

11 EXECUTIVE OFFICER LUCCHESI: That's okay. We are
12 on Item 46, if there are no objections.

13 CHAIRPERSON KOUNALAKIS: I have it, Item 46.
14 That's why. I went a page ahead.

15 EXECUTIVE OFFICER LUCCHESI: Great.

16 CHAIRPERSON KOUNALAKIS: And maybe we can have an
17 update of when we're going to be doing these in person
18 again.

19 (Laughter.)

20 CHAIRPERSON KOUNALAKIS: So Item 46 is to
21 consider supporting SB 572 at -- sorry, Senate Bill 572
22 and HR 1663, bills intended to reduce pollution along the
23 U.S.-Mexico border, and improve and restore the water
24 quality of the Tijuana River and the New River. May we
25 please have the presentation?

1 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.
2 Thank you, Madam Chair and Commissioners. This item
3 recommends that the Commission support S. 572, the Border
4 Water Quality Restoration and Protection Act introduced by
5 Senators Feinstein and Padilla to reduce pollution along
6 the U.S.-Mexico border and improve the water quality of
7 the Tijuana River and New Rivers, and also, HR 1663 by
8 Representative Juan Vargas an identical bill that's also
9 intended to restore water quality at the Tijuana River and
10 the New River.

11 And as brief background, the Commission has
12 jurisdiction over sovereign land in and near the Tijuana
13 River watershed. And ongoing sewage spills and stormwater
14 runoff carrying trash, sediment, and other pollutants in
15 the Tijuana River Valley watersheds are, and have for a
16 while, been damaging public land -- public lands and
17 resources in Southern California.

18 Everyone agrees the Tijuana River is in the midst
19 of a decades-long environmental crisis. Last year, at the
20 request of Senator Feinstein, the Government
21 Accountability Office issued a report called,
22 "International Boundary and Water Commission:
23 Opportunities Exist to Address Water Quality Problems".

24 These two bills are based on recommendations from
25 that report. And I'll just summarize the main elements.

1 The bills would designate the U.S. EPA as the lead agency
2 to address border pollution along the border, and require
3 the U.S. EPA in consultation with other entities,
4 including State, regional, local agencies and stakeholders
5 to develop and implement projects, plans, and initiatives
6 to improve and protect water quality in the Tijuana River
7 watershed. It would also require the U.S. EPA to support
8 implementation of a shared set of science-based water
9 quality restoration and protection activities to assess
10 and identify funding options to finance infrastructure
11 projects and authorize the U.S. EPA to accept and
12 distribute federal, State, and local funds to build,
13 operate, and maintain projects.

14 The bills would also require the USA -- the U.S.
15 EPA, sorry, to use border water infrastructure program
16 funding and other payments to enter into cooperative
17 agreements and provide technical assistance to agencies
18 and others to carry out studies, plans, and projects to
19 improve water quality in the Tijuana River and New River.

20 I wanted to also mention that these bills are
21 supported by the California Environmental Protection
22 Agency, the California Natural Resources Agency, San
23 Diego, and Imperial Counties, the Cities of San Diego,
24 Imperial Beach, and Coronado, and the Port of San Diego
25 along with many others. Both bills have been referred to

1 Committee, but they haven't been marked up and moved
2 forward yet.

3 I wanted to also, before I conclude, just mention
4 that the 300 million in the USMCA funding to support
5 border water infrastructure projects along the border - on
6 that subject, the USMCA recently released an NOI and is
7 preparing and Environmental Impact Statement evaluating
8 ten projects that will be considered for funding.

9 These two bills are meant to be a blueprint to
10 tell the U.S. EPA and the agencies what they'd like to see
11 them do and to figure out how to spend those monies most
12 efficiently and successfully.

13 So that concludes my presentation. And again,
14 staff is recommending that the Commission take a support
15 position on S. 572 and HR 1663. And I'm happy to answer
16 any questions.

17 Thank you.

18 CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.
19 Pemberton. Commissioner Yee, do you have questions or
20 comments?

21 COMMISSIONER YEE: I do have one question and I'm
22 very supportive of both of these measures. I know that --
23 and I don't know the answer to this, and not for today if
24 we don't know, but I know the County of San Diego had
25 declared the Tijuana River Valley pollution issue a public

1 health crisis. And I don't know what that means in terms
2 of additional support from the county or what that kind of
3 declaration actually means in terms of furthering all of
4 these efforts. So just a question out of curiosity.

5 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yeah.
6 Thank you, Commissioner Yee. I think Jennifer
7 might want to address that comment.

8 EXECUTIVE OFFICER LUCCHESI: Well, I will defer
9 to Sheri or Supervising Deputy Attorney General Vogel, if
10 he knows the answer. I do not know the answer to that at
11 this time, but we will certainly follow up with you on
12 that and report back to the Commission publicly at the
13 next meeting.

14 COMMISSIONER YEE: Okay. I appreciate that.
15 Thank you.

16 CHAIRPERSON KOUNALAKIS: Commissioner Miller,
17 questions or comments?

18 ACTING COMMISSIONER MILLER: (Shakes head.)

19 CHAIRPERSON KOUNALAKIS: So let me just say this
20 is kind of my day, two of my favorite topics, ports and
21 cleaning up the Tijuana and the New River. So much work
22 has gone into addressing this problem by so many people.
23 And it has been seen as this great intractable problem for
24 a long time. And with these two bills and the funds that
25 were allocated as part of USMCA, we really can see a light

1 at the end of the tunnel in terms of our ability to do
2 something about it to protect our families living down in
3 San Diego on the border and in the region -- in the border
4 region.

5 So I am very supportive of our endorsement of
6 these two bills. And with that, Katie, do we have any
7 members of the public who would like to speak?

8 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Madam
9 Chair, at this time, we have no hands raised.

10 CHAIRPERSON KOUNALAKIS: Okay. May I have a
11 motion?

12 COMMISSIONER YEE: Yes, I will move both items
13 for support.

14 ACTING COMMISSIONER MILLER: And I'll second,
15 Madam Chair.

16 CHAIRPERSON KOUNALAKIS: Ms. Lucchesi, would you
17 please read the roll?

18 EXECUTIVE OFFICER LUCCHESI: Yes.

19 Commissioner Yee?

20 COMMISSIONER YEE: Aye.

21 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

22 ACTING COMMISSIONER MILLER: Aye.

23 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

24 CHAIRPERSON KOUNALAKIS: Aye.

25 EXECUTIVE OFFICER LUCCHESI: The motion passes

1 unanimously. Thank you.

2 CHAIRPERSON KOUNALAKIS: Okay. And now Item 47
3 is to consider extending the sunset date of the limited
4 delegation of authority to the Executive Officer for the
5 COVID-19 Rent and Application Expense Deferral Program
6 previously authored by the Commission.

7 May we please have the presentation.

8 EXECUTIVE OFFICER LUCCHESI: Yes. I will be
9 providing staff's recommendation.

10 As you recall at the April 2020 Commission
11 meeting, you approved the limited delegation of authority
12 to the Executive Officer to enter into negotiated
13 settlements with lessees and applicants adversely impacted
14 by the COVID-19 pandemic and related orders and
15 directives. We refer to this program as the COVID-19 Rent
16 and Application Expense Deferral Program.

17 This program is intended to provide certainty to
18 lessees and applicants in need who are worried about their
19 financial ability to meet rent applications and pay
20 application expenses and who desire to remain in
21 compliance with lease terms and applicable laws and
22 regulations. The limited delegation is set to expire at
23 the end of this month. The proposed action is to extend
24 the sunset date of the program to December 31st, 2021.

25 Overall, since the program started, staff has

1 received 65 applications. And under the delegation, the
2 Executive Officer (inaudible) approved ten applications,
3 declined five, and 50 applications are incomplete. The
4 majority of those 50 applications are really inapplicable
5 to the leases and applications that we manage. They were
6 more geared to requests from private individuals seeking
7 residential rent relief.

8 The ten approved rent deferral applications over
9 the life of the program have totaled so far over -- a
10 little over \$25,000 in annual rent. At the time the April
11 2020 delegation was approved, the pandemic was still in
12 its early stage and there was very little knowledge of how
13 it would evolve or how long it would last.

14 Staff believes that although things continue to
15 improve with the rollout of vaccines, there is still a
16 need for the program, and ending it on April 30th would be
17 premature. Extending the program through the end of 2021
18 will allow sufficient time to ensure that all those who
19 may benefit from the program are covered.

20 Therefore, staff recommends the Commission extend
21 the sunset date for the limited delegation of authority to
22 the Executive Officer for the COVID-19 Rent and
23 Application Expense Deferral Program from April 30th to
24 December 31st, 2021. Thank you and I'm available to
25 answer any questions.

1 CHAIRPERSON KOUNALAKIS: Thank you very much.
2 Commissioner Yee, do you have any questions or
3 comments?

4 COMMISSIONER YEE: (Shakes head.)

5 CHAIRPERSON KOUNALAKIS: Commissioner Miller?

6 ACTING COMMISSIONER MILLER: (Shakes head.)

7 CHAIRPERSON KOUNALAKIS: Katie, do we have any
8 questions -- any comments from the public?

9 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank,
10 you, Madam Chair. At this time, we have no hands raised.

11 CHAIRPERSON KOUNALAKIS: Okay. May we have a
12 motion to adopt staff's recommendation?

13 COMMISSIONER YEE: So moved, Madam Chair.

14 ACTING COMMISSIONER MILLER: Second.

15 CHAIRPERSON KOUNALAKIS: Second?

16 ACTING COMMISSIONER MILLER: Second, Madam Chair.
17 I apologize.

18 CHAIRPERSON KOUNALAKIS: Yes?

19 ACTING COMMISSIONER MILLER: Oh, I'm sorry. I
20 was saying second. I thought maybe my -- no one could
21 hear me.

22 CHAIRPERSON KOUNALAKIS: Yeah. No.

23 ACTING COMMISSIONER MILLER: I'm sorry. Thank
24 you.

25 CHAIRPERSON KOUNALAKIS: I heard you. Thank you

1 very, very much.

2 Ms. Lucchesi, please read the role.

3 EXECUTIVE OFFICER LUCCHESI: Commissioner Yee?

4 COMMISSIONER YEE: Aye.

5 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

6 ACTING COMMISSIONER MILLER: Aye.

7 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

8 CHAIRPERSON KOUNALAKIS: Aye.

9 EXECUTIVE OFFICER LUCCHESI: The motion passes
10 unanimately.

11 CHAIRPERSON KOUNALAKIS: Okay. And now, Ms.
12 Lucchesi, what is the next order of business?

13 EXECUTIVE OFFICER LUCCHESI: Our next order of
14 business is our second public comment period.

15 CHAIRPERSON KOUNALAKIS: Okay. If anyone would
16 like to address the Commission on any matter that is not
17 on today's agenda, please raise your hand and you will
18 have three minutes to do so.

19 Katie, please call on the first person who would
20 like to make a public comment.

21 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
22 you, Madam Chair. At this time, we have no hands raised
23 for public comment.

24 CHAIRPERSON KOUNALAKIS: Okay. That concludes
25 our second public comment period. And one of the shortest

1 meetings I think we've had in quite a long time.

2 Do any of the Commissioners have any questions or
3 comments?

4 COMMISSIONER YEE: (Shakes head.)

5 ACTING COMMISSIONER MILLER: (Shakes head.)

6 CHAIRPERSON KOUNALAKIS: Okay. Ms. Lucchesi,
7 what is the next order of business?

8 EXECUTIVE OFFICER LUCCHESI: Our next order of
9 business would normally be our closed session. However,
10 today, we will not be holding a closed session, so we can
11 adjourn at your discretion, Chair Kounalakis.

12 CHAIRPERSON KOUNALAKIS: Okay. And just for my
13 own edification, do we have a timeline for when we will be
14 meeting in person?

15 EXECUTIVE OFFICER LUCCHESI: At this time, we
16 don't have a specific time frame for meeting in person.
17 We are working with the administration on what open
18 meetings, public meetings like these will look like,
19 especially as we move into June and the State reopens. So
20 hopefully by our next meeting, we'll have a little bit
21 more specifics to share with the Commissioners and with
22 the public.

23 CHAIRPERSON KOUNALAKIS: Okay.

24 EXECUTIVE OFFICER LUCCHESI: We look forward to
25 getting together in person too.

1 (Laughter.)

2 CHAIRPERSON KOUNALAKIS: I lost the thread of it
3 a couple times today. My apologies to everyone.

4 And thank you all very much. That concludes our
5 meeting. And we are adjourned.

6 (Thereupon the California State Lands
7 Commission meeting adjourned at 2:08 p.m.)

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1 CERTIFICATE OF REPORTER

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

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

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

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

15 IN WITNESS WHEREOF, I have hereunto set my hand
16 this 5th day of May, 2021.

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19 
20
21

22 JAMES F. PETERS, CSR
23 Certified Shorthand Reporter
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25