

VIDEOCONFERENCE MEETING
STATE OF CALIFORNIA
LANDS COMMISSION

ZOOM PLATFORM

TUESDAY, JUNE 29, 2021

1:02 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

Jennifer Mattox, Science Policy Advisor and Tribal Liaison

Sheri Pemberton, Chief, External Affairs and Legislative
Liaison

Katie Robinson-Filipp, Environmental Scientist

ATTORNEY GENERAL:

Andrew Vogel, Deputy Attorney General

ALSO PRESENT:

Sabrina Brennan, Surf Equity and Sport Equity

Francis Coats

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I 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 April 27, 2021 meeting	10
IV Executive Officer's Report	11
<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">- No items for this section <p>Tomales Bay Assignment Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:</p> <ul style="list-style-type: none">- No items for this section	
V Consent Calendar 01-48	18
<p>The following items are considered to be noncontroversial and are subject to change at any time up to the date of the meeting.</p>	
<p>Land Management</p>	
<p>Northern Region</p>	
01 EDMOND BENDER AND DEBORAH BENDER (APPLICANT):	
<p>Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3760 North Lake Boulevard, near Carnelian Bay, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8934; A2727; RA#</p>	

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- 2020023) (A 1; S 1) (Staff: L. Anderson)
- 02 DAVID HARRIS BERGER AND SARAH JAMES BERGER (RESCINDING APPLICANT): DAVID HARRIS BERGER AND SARAH JANE BERGER, OR THEIR SUCCESSOR(S), AS TRUSTEES OF THE DAVID AND SARAH BERGER FAMILY TRUST UNDER REVOCABLE TRUST AGREEMENT DATED JANUARY 22, 2020, AS AMENDED (APPLICANT): Consider rescission of approval and authorization of a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2562 Lake Forest Road, Tahoe City, Placer County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 9658; A2395; RA# 2019224) (A 1; S 1) (Staff: J. Holt)
- 03 RICHARD G. BUSSE, TRUSTEE OF THE RICHARD G. BUSSE TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5324 North Lake Boulevard, near Carnelian Bay, Placer County; for two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8953; A2701; RA# 2020009) (A 1; S 1) (Staff: L. Anderson)
- 04 TERRY R. CHRISMAN AND LISA J. P. CHRISMAN, TRUSTEES OF THE TERRY AND LISA CHRISMAN FAMILY TRUST, DATED SEPTEMBER 24, 2001; JULIET M. PARKER, TRUSTEE OF PARKER TAHOE TRUST *TAHOE TRUST IS FBO DONALD A. PARKER'S TWO SONS UNTIL OLDEST SON ATTAINS AGE 30 DATED 4/20/2012; SUMMER ANN CHRISMAN, TRUSTEE OF THE SUMMER ANN CHRISMAN REVOCABLE TRUST DATED MARCH 10, 2021; DANIEL RAYMOND CHRISMAN, TRUSTEE OF THE DANIEL RAYMOND CHRISMAN REVOCABLE TRUST DATED MARCH 3, 2021; AND LISA NOËL CHRISMAN, TRUSTEE OF THE LISA NO L CHRISMAN REVOCABLE TRUST DATED MAY 13, 2021 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent 8275 Meeks Bay Avenue, Meeks Bay, El Dorado County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (Lease 8333; A2680; RA# 2020124) (A 5; S 1) (Staff: S. Avila)
- 05 LINDA NELSON DAVIS, ROBERT L. WEBSTER, AND PATRICIA LOUISE NELSON ATASSI, AS CO-TRUSTEES OF THE JENNIFER JOANNA DAVIS REVOCABLE TRUST DATED JULY 20, 2001, AS

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- AMENDED AND RESTATED ON JULY 3, 2012
(LESSEE/APPLICANT): Consider acceptance of a lease quitclaim deed and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 76 Lassen Drive, Tahoe City, Placer County; for one existing mooring buoy previously authorized by the Commission and one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 9317; A2859; RA# 2020101) (A 1; S 1) (Staff: J. Holt)
- 06 ROBERT L. DUMAS AND SABRINA E. DUMAS, TRUSTEES OF THE DUMAS FAMILY TRUST DATED DECEMBER 2, 2015 (LESSEE): Consider amendment of Lease Number PRC 5557, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4500 North Lake Boulevard, Carnelian Bay, Placer County; for construction, use, and maintenance of a pier, boat lift, and catwalk; removal of an existing pier and one existing mooring buoy; and the continued use and maintenance of one existing mooring buoy. CEQA Consideration: categorical exemptions. (PRC 5557; A2845; RA# 2020087) (A 1; S 1) (Staff: S. Avila)
- 07 DAVID J. FERRARI (LESSEE); REYNOLD J. DILENA (APPLICANT): Consider termination of Lease Number PRC 8431, a General Lease - Recreational Use; and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6259 North Lake Boulevard, near Tahoe Vista, Placer County; for two existing freshwater intake pipelines not previously authorized by the Commission; and two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8431; RA# 23318) (A 1; S 1) (Staff: S. Avila)
- 08 VICTORIA L. FIGONE, TRUSTEE, FIGONE FAMILY TRUST FOR BENEFIT OF SARAH J. IHNKEN DATED DECEMBER 31, 2020; AND VICTORIA L. FIGONE, TRUSTEE, FIGONE FAMILY TRUST FOR BENEFIT OF LINDA I. IHNKEN DATED DECEMBER 31, 2020 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 32 Moana Circle, near Homewood, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 5300; A3030; RA# 2020378) (A 1; S 1) (Staff: S. Avila)

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- 09 EDWARD R. FRAZER, TRUSTEE OF THE EDWARD R. FRAZER FAMILY TRUST (E.R.F'S S.P.), DATED OCTOBER 2, 2002 (LESSEE); MAC3K INVESTMENTS, L.P. (APPLICANT): Consider termination of Lease 5177, a General Lease - Recreational Use; and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4796 North Lake Boulevard, Carnelian Bay, Placer County; for an existing pier, two catwalks, portion of a cabin, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 5177; A2960; RA# 2020323) (A 1; S 1) (Staff: J. Holt)
- 10 SIDNEY J. HENDRICKS (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Petaluma River, adjacent to 6614 Lakeville Road, near Petaluma, Sonoma County; for an existing pier, boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 8212; A2359; RA# 2019150) (A 10; S 3) (Staff: J. Toy)
- 11 COLLEEN S. MORRISSEY, AS TRUSTEE OF THE AMENDED AND RESTATED MARY SHEA TAHOE PINES QUALIFIED PERSONAL RESIDENCE TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3640 Idlewild Way, near Homewood, Placer County; for an existing pier and two mooring buoys previously authorized by the Commission and three existing boat hoists not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 3621; A2559; RA# 2019274) (A 1; S 1) (Staff: J. Toy)
- 12 PACIFIC GAS AND ELECTRIC COMPANY (LESSEE): Consider revision of rent to Lease Number PRC 8915, a General Lease - Right-of-Way Use, of sovereign land located in the Yuba River, adjacent to Assessor's Parcel Numbers (APNs) 018-240-003 and 018-240-039, and in the Bear River, adjacent to APNs 016-140-003, 016-140-010, and 016-140-016, south of Marysville, Yuba, and Sutter Counties; for an overhead transmission line. CEQA Consideration: not a project. (PRC 8915) (A 3; S 4) (Staff: N. Lee)
- 13 BRUCE R. PETERSON AND JOAN C. PETERSON, AS TRUSTEES OF THE PETERSON REVOCABLE INTER VIVOS TRUST DATED

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- NOVEMBER 19, 1986 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3384 Edgewater Drive, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8310; A2782; RA# 2020362) (A 1; S 1) (Staff: S. Avila)
- 14 SKYLAR J. RICE; AND JOE RICE AND JILL RICE (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign land located in Quill Slough, adjacent to Assessor's Parcel Number 310-021-005, near Loleta, Humboldt County; for an existing tide gate and rock riprap. CEQA Consideration: categorical exemption. (Lease 5961; A2827; RA# 2020302) (A 2; S 2) (Staff: J. Toy)
- 15 WILLIAM P. ROBERT (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7486 North Lake Boulevard, near Tahoe Vista, Placer County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2401; RA# 2019166) (A 1; S 1) (Staff: L. Anderson)
- 16 JONATHAN D. RUGGIERO AND LAURIE L. RUGGIERO, AS TRUSTEES OF THE RUGGIERO TRUST DATED 4/1/2013 (LESSEE/ASSIGNOR); GREGORY H. ST. CLAIRE AND ANNE L. ST. CLAIRE, TRUSTEES OF THE ST. CLAIRE FAMILY TRUST (CO-LESSEE); LAKE 120 LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT/ASSIGNEE): Consider assignment of a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3135 and 3145 West Lake Boulevard, near Homewood, Placer County; for an existing joint-use pier and four mooring buoys. CEQA Consideration: not a project. (Lease 5529; A3017; RA# 2020366) (A 1; S 1) (Staff: S. Avila)
- 17 THOMAS A. SHIELDS, JR. AND LOUISA LLOYD SHIELDS, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE SHIELDS TRUST, ESTABLISHED APRIL 27, 2001, AND ANY AMENDMENTS THERETO (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Donner Lake, adjacent to 15849 Donner

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Pass Road, Truckee, Nevada County; for an existing pier, boat dock, covered boat lift, and gangway. CEQA Consideration: categorical exemption. (Lease 7740; A2954; RA# 2020343) (A 1; S 1) (Staff: L. Anderson)

Bay / Delta Region

- 18 MICHELLE BARNES AND DAVID BARNES (LESSEE): Consider amendment to Lease Number PRC 5800, a General Lease - Recreational Use, of sovereign land located in Georgiana Slough, adjacent to 17191 Terminous Road, near Isleton, Sacramento County; to include construction of a proposed boat slip with hydro lift and addition of three personal watercraft floats not previously authorized by the Commission; and replacement of an existing boat dock, gangway, storage shed; two electrical outlets, and personal watercraft lift previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 5800; A2969; RA# 2020331) (A 11; S 3) (Staff: J. Holt)
- 19 BRANNAN - ANDRUS LEVEE MAINTENANCE DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land in the Sacramento River, near Isleton, for the Sacramento River Erosion Control/Habitat Enhancement Project. CEQA Consideration: Mitigated Negative Declaration, adopted by the Brannan - Andrus Levee Maintenance District, State Clearinghouse No. 2020100329, and adoption of a Mitigation Monitoring Program. (A2483; RA# 2020089) (A 11; S 3) (Staff: A. Franzoia)
- 20 CALIFORNIA CELLARS LLC (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 15511 Isleton Road, near Isleton, Sacramento County; for an existing boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 8937; A2968; RA# 2020348) (A 7; S 6) (Staff: L. Anderson)
- 21 CENTRAL VALLEY FLOOD PROTECTION BOARD (APPLICANT): Consider applications for two General Leases - Public Agency Use, of sovereign land located adjacent to Paradise Beach and Glen Hall Park in the American River, Sacramento County; for construction, use and

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- maintenance of existing levee erosion repair sites, bank stabilization, and project mitigation sites. CEQA Consideration: Environmental Impact Report (EIR) and Supplemental EIR, certified by the Central Valley Flood Protection Board, State Clearinghouse No. 2005072046, and adoption of a Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (A2402; RA# 20191677 and A2715; RA#2020016) (A 7; S 6) (Staff: S. Avila)
- 22 CITY OF MODESTO (APPLICANT): Consider application for a General Lease - Public Agency Use of sovereign land in the Tuolumne River, adjacent to 700-734 Neece Drive, Modesto, Stanislaus County; for the construction, use, and maintenance of a concrete non-motorized boat launch ramp and riprap bank protection. CEQA Consideration: Master Environmental Impact Reports, certified by the City of Modesto, State Clearinghouse No. 2000022028 and 2007072023, Finding of Conformance, and adoption of a Mitigation Monitoring Program. (A2826; RA# 2020074) (A 21; S 12) (Staff: L. Pino)
- 23 MARK D. COPELAND AND KATHLEEN A. COPELAND, TRUSTEES OF THE COPELAND FAMILY TRUST, ESTABLISHED NOVEMBER 19, 1999 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 6575 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 8936; A2830; RA# 2020111) (A 7; S 6) (Staff: J. Toy)
- 24 DIABLO WATER SKI CLUB, A CALIFORNIA CORPORATION (LESSEE): Consider revision of rent to Lease Number PRC 6184, a General Lease - Recreational Use, of state sovereign land located in Old River, adjacent to Assessor's Parcel Number 129-050-59, near Bacon Island, San Joaquin County; for two existing club buildings, one water ski jump, five boat docks, two decks, a storage room, covered patio, and ten seasonal slalom marker buoys with anchors. CEQA Consideration: not a project. (PRC 6184) (A 13; S 5) (Staff: N. Lee)

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- 25 ECO SERVICES OPERATIONS CORP. (APPLICANT): Consider amendment of Lease Number PRC 7660, a General Lease - Industrial and Protective Structure Use, of filled and unfilled sovereign land located adjacent to 100 Mococo Road, in Peyton Slough and Carquinez Strait, near Martinez, Contra Costa County; for the use and maintenance of additional shoreline protection. CEQA Consideration: categorical exemption. (PRC 7660; RA# 2020329) (A 14; S 3) (Staff: D. Tutov)
- 26 DONALD W. FRAULOB AND MELISSA C. BROWN (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 2517 Garden Highway, Sacramento, Sacramento County; for two existing unattached pilings. CEQA Consideration: categorical exemption. (Lease 5178; RA# 22218) (A 7; S 6) (Staff: J. Holt)
- 27 WILLIAM H. KEARNS, JR., TRUSTEE OF THE WILLIAM H. KEARNS, JR. SEPARATE PROPERTY TRUST DATED JULY 27, 1999 (LESSEE); RICHARD T MESSERSMITH AND KAROL A MESSERSMITH, TRUSTEES OF THE RICHARD T MESSERSMITH AND KAROL A MESSERSMITH FAMILY REVOCABLE TRUST EST 9/11/03 (APPLICANT): Consider termination of Lease 8760, a General Lease - Recreational and Protective Structure Use; and issuance of a General Lease - Recreational and Protective Structure Use, of sovereign land located in Georgiana Slough, adjacent to 17075 Terminous Road, near Isleton, Sacramento County; for an existing covered boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 8760; A2956; RA# 2020313) (A 11; S 3) (Staff: J. Holt)
- 28 MARK D. LENG AND SHERRI E. LENG (LESSEE); MOHAMMAD SHARIF (APPLICANT): Consider acceptance of a lease quitclaim deed and application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 2541 Garden Highway, Sacramento, Sacramento County; for an existing boat dock, ramp, two pilings, and bank protection previously authorized by the Commission and an existing boat lift not previously authorized by the Commission. CEQA

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- Consideration: categorical exemption. (Lease 7833, A2976; RA# 2020334) (A 7; S 6) (Staff: M.J. Columbus)
- 29 TIBERIO P. LIZZA (LESSEE); CHRISTIAN I. LIZZA, KARL P. LIZZA, AND CONSTANCE E. MOYER (APPLICANT): Consider termination of Lease Number PRC 8942, a General Lease - Recreational Use; and issuance of a General Lease - Recreational Use, of sovereign land located in Raccoon Strait, adjacent to 2032 Paradise Drive, Tiburon, Marin County; for an existing pier. CEQA Consideration: categorical exemption. (Lease 8942; A3034; RA# 2020379) (A 10; S 2) (Staff: L. Anderson)
- 30 GEOFFREY B. SEARS AND JANICE L. SEARS TRUSTEES OF THE G.B. SEARS FAMILY TRUST DATED MARCH 8, 2013 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Tomales Bay, adjacent to 18555 Highway 1, near Marshall, Marin County; for a proposed mooring buoy. CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (A3028; RA# 2020373) (A 10; S 2) (Staff: D. Tutov)
- 31 PAUL D. THAYER AND MARTHA H. LENNIHAN AS TRUSTEES OF THE PAUL D. THAYER AND MARTHA H. LENNIHAN 2016 REVOCABLE TRUST, DATED MARCH 14, 2016 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 6645 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection previously authorized by the Commission and an existing boat lift and two-pile dolphin not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 6042; A2557; RA# 2020102) (A 7; S 6) (Staff: J. Toy)
- 32 TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT (LESSEE): Consider amendment of Lease Number PRC 8547, a General Lease - Public Agency Use, of sovereign land in Old River, near Discovery Bay, Contra Costa County; to install a diffuser and remove an existing diffuser. CEQA Consideration: Mitigated Negative Declaration, adopted by the Town of Discovery Bay, SCH No.

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2020020418, and adoption of a Mitigation Monitoring and Reporting Plan. (PRC 8547; RA# 2019334) (A 11; S 7) (Staff: M. Schroeder)

- 33 VINCENT VONG AND THUY THI TRAN, CO-TRUSTEES OF THE VONG TRAN FAMILY TRUST DATED JANUARY 15, 2010 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 1861 Garden Highway, Sacramento, Sacramento County; for an existing three-pile dolphin boat tie-up and bank protection. CEQA Consideration: categorical exemption. (Lease 6727, A2986; RA# 2020345) (A 7; S 6) (Staff: M.J. Columbus)

Central / Southern Region

- 34 DONALD WILLIAM AASE AND JUDITH ELLEN AASE, TRUSTEES OF THE AASE FAMILY TRUST, DATED MARCH 23, 2017 (LESSEE); WILLIAM TY LARSON, TRUSTEE OF THE WILLIAM TY LARSON TRUST DATED DECEMBER 12, 1991 (APPLICANT): Consider termination of Lease Number PRC 9088 and issuance of a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River adjacent to 1118 Beach Drive, Needles, San Bernardino County; for an existing concrete stairway with rock retaining walls, two concrete patio areas with railing and rock retaining walls, planter area, and riprap bankline protection. CEQA Consideration: categorical exemption. (Lease 9088; A2721; RA#2020380) (A 33; S 16) (Staff: L. Pino)
- 35 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES): Consider acceptance of an offer to dedicate a lateral public access easement over land adjacent to 31260 Broad Beach Road, Malibu, Los Angeles County. CEQA Consideration: not a project. (W24665; I2333) (A 50; S 27) (Staff: L. Pino)
- 36 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES): Consider acceptance of an offer to dedicate a lateral public access easement over land adjacent to 31302 Broad Beach Road, Malibu, Los Angeles County. CEQA Consideration: not a project. (W24665; I2338) (A 50; S 27) (Staff: L. Pino)

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- 37 PREMIER SEED COMPANY, LLC (APPLICANT): Consider application for a General Lease - Other, of sovereign land on the dry bed of Owens Lake, Inyo County; for seed harvesting. CEQA Consideration: categorical exemption. (Lease 9413; A3029; RA#2020376) (A 26; S 8) (Staff: D. Simpkin)
- 38 SANTA CATALINA ISLAND COMPANY (APPLICANT/SUBLESSOR) AND SANTA CATALINA ISLAND CONSERVANCY (APPLICANT); UNIVERSITY OF SOUTHERN CALIFORNIA, HUBBS SEA WORLD RESEARCH INSTITUTE, CATALINA SEA BASS FUND (SUBLESSEES): Consider application for a General Lease - Commercial Use, and endorsement of subleases of sovereign land located in various coves around Santa Catalina Island, Pacific Ocean, Los Angeles County; for existing facilities including 752 moorings, six string lines, coves for open anchorage, four finfish grow-out pens, four anchors and up to four shellfish long-line arrays. CEQA Consideration: categorical exemption. (Lease 3639; A2485; RA# 2019291) (A 70; S 26) (Staff: D. Simpkin)
- 39 MICHAEL SHUTT AND CHRISTINE D. SHUTT, AS TRUSTEES, OR ANY SUCCESSOR TRUSTEE, UNDER THAT CERTAIN DECLARATION OF TRUST NAMED MICHAEL SHUTT AND CHRISTINE D. SHUTT FAMILY TRUST, CREATED BY MICHAEL SHUTT AND CHRISTINE D. SHUTT, AS TRUSTORS, DATED SEPTEMBER 8, 2006 (ASSIGNOR); ERIC KEATING AND MELISSA KEATING (ASSIGNEE): Consider assignment of Lease Number PRC 9039, a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1170 Beach Drive, Needles, San Bernardino County; for an existing concrete stairway with railing and appurtenances, rock retaining walls, concrete patios and riprap bankline protection; landing, aluminum gangway with railing, and floating boat dock. CEQA Consideration: not a project. (PRC 9039; A3042; RA# 2020382) (A 33; S 16) (Staff: L. Pino)
- 40 UNIVERSITY OF SOUTHERN CALIFORNIA (APPLICANT): Consider application for a General Lease - Other, of sovereign land located in the Pacific Ocean, Santa Catalina Island, Los Angeles County; for an existing concrete pier with two floating docks, rock mole,

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concrete marine ramp, helipad, 25 mooring buoys, and two seawater intake lines. CEQA Consideration: categorical exemption. (Lease 3692; RA# 2019300) (A 70; S 26) (Staff: D. Simpkin)

- 41 U.S. DEPARTMENT OF THE NAVY (APPLICANT); CALIFORNIA DEPARTMENT OF PARKS AND RECREATION AND CALIFORNIA STATE LANDS COMMISSION (PARTIES): Consider rescission of previous Lease Authorization, issuance of a new General Lease - Public Agency Use, and authorization to negotiate and enter into an Agreement for the Transfer of Control and Possession of State-Owned Real Property with the California Department of Parks and Recreation, of land located along Silver Strand State Beach, near Coronado, San Diego County; for use and maintenance of Silver Strand Training Complex North. CEQA Consideration: categorical exemption. (Lease 6319; A2488; JTI 10; RA# 2019253) (A 78; S 39) (Staff: D. Simpkin)
- 42 WESTERN LOS ANGELES COUNTY COUNCIL, INC., BOY SCOUTS OF AMERICA (LESSEE): Consider amendment to Lease Number PRC 6442, a General Lease - Recreational Use, of sovereign land in Emerald Bay and Doctor's Cove, Santa Catalina Island, Los Angeles County; for the addition of an existing mooring, removal of an existing mooring, and installation of a new mooring; replace lease exhibits, and to amend the annual rent. CEQA Consideration: categorical exemptions. (PRC 6442; RA#23418) (A 70; S 26) (Staff: D. Simpkin)

School Lands

- 43 AT&T CORPORATION (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State Indemnity school lands in portions of Sections 4 and 10, Township 11 South, Range 10 East SBM, west of the Salton Sea, Imperial County; for an existing buried fiber optic communication cable. CEQA Consideration: categorical exemption. (Lease 7428; A2390; RA# 2019171) (A 56; S 40) (Staff: R. Collins)
- 44 CALIFORNIA STATE LANDS COMMISSION, BARSTOW SPANISH TRAIL, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (PARTIES): Consider amendment to the "Offer to Purchase Real Estate in the County of San Bernardino

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and Acceptance of Offer to Purchase" for approximately 63.3 gross acres of indemnity school lands in Barstow, San Bernardino County; to extend the closing date. CEQA Consideration: not a project. (SA 5772; RA# 24716) (A 33; S 16) (Staff: R. Collins, P. Huber)

- 45 SE ATHOS I, LLC AND SE ATHOS II, LLC (LESSEE): Consider an agreement and consent to encumbrance of Lease Number PRC 9579, a General Lease - Right-of-Way Use, of State-owned school land located in Section 16, Township 5 South, Range 16 East, SBM, northeast of Desert Center, Riverside County; for two overhead transmission lines and up to three steel poles, up to 12 underground circuits, one underground distribution circuit, up to 14 underground fiber-optic cables, and an unpaved access road. CEQA Consideration: not a project. (PRC 9579; RA# 2019221) (A 56; S 28) (Staff: R. Collins)

Mineral Resources Management

- 46 CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER (APPLICANT): Consider application for a Non-Exclusive Geological Survey Permit using rotary drilling on State sovereign land, Assessor's Parcel Numbers: 02622008 and 02624020 located on the dry lakebed of Owens Lake, Inyo County. CEQA Consideration: categorical exemption. (A2987; RA# 2020341) (A 34; S: 13) (Staff: C. Fox)
- 47 IMPERIAL USA CORP. (APPLICANT): Consider application for a Non-Exclusive Geological Survey Permit on 640 acres of State fee-owned school land, Assessor's Parcel Number 039-190-018, State Parcel Number 243-006, located within Section 36, Township 13 South, Range 20 East, SBBM, south of Black Mountain, Imperial County. CEQA Consideration: categorical exemption. (A2984; RA# 2020338) (A 56; S: 40) (Staff: R. Lee)

Marine Environmental Protection

- See Regular Calendar

Administration

- 48 CALIFORNIA STATE LANDS COMMISSION: Request delegation of authority for the Executive Officer to solicit

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Statements of Interest for consultant services, negotiate a fair and reasonable price, and award and execute agreements for the preparation of environmental documentation for the proposed San Francisco Bay and Delta Sand Mining Project in Central San Francisco Bay and Suisun Bay/San Joaquin River, San Francisco, Contra Costa, Sacramento, and Solano counties. CEQA Consideration: not a project. (Leases 709, 2036, 7779, 7780, and 7781; RA#s 2020291, 2020292, 2020293, 2020294, 2020295) (A 10, 11, 14, 17, 18, 19; S 2, 3, 9, 11) (Staff: C. Huitt)

Legal

- No items for this section

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 49-53

49 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) 20

50 CALIFORNIA STATE LANDS COMMISSION: Consider supporting the West Coast Ocean Protection Act by Senator Feinstein and the California Clean Coast Act by Representative Carbajal, legislation that would permanently ban offshore drilling on the Outer Continental Shelf off the coast of California, Oregon, and Washington, and consider supporting the American Coasts and Oceans Protection Act introduced by Representative Levin that would ban offshore oil and gas drilling

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	<u>PAGE</u>
in Southern California. CEQA Consideration: not a project. (A & S: Federal) (Staff: S. Pemberton)	23
51 CALIFORNIA STATE LANDS COMMISSION: Consider supporting SB 796 (Bradford) that would authorize Los Angeles County to sell, transfer, or encumber Bruce's Beach, a portion of land within Manhattan State Beach, under terms and conditions that the Board of Supervisors determines are in the best interest of the County and the public. CEQA Consideration: not a project. (A & S: Statewide) (Staff: S. Pemberton)	27
52 CALIFORNIA STATE LANDS COMMISSION: Consider proposing amendments to the federal Vessel Incidental Discharge Act (33 U.S.C. 1322(p)) to improve states' access to vessel discharge data and address impacts to the Marine Invasive Species Control Fund. CEQA Consideration: not applicable. (W 9777.234) (A & S: Statewide and Federal) (Staff: S. Pemberton)	35
53 CALIFORNIA STATE LANDS COMMISSION: Consider a resolution supporting the recommendation of the Patsiata Tribal Oversight Committee to the Patsiata Cultural Resources Task Force regarding implementation of a vegetation enhancement pilot project on the Sibi Patsiata-wae-t Cultural Resource Area on Owens Lake, located in Inyo County, and in support of an Order by the Great Basin Unified Air Pollution Control District in furtherance of the vegetation enhancement pilot project as a means to prevent and control dust emissions. CEQA Consideration: not a project. (A 26; S 8) (Staff: J. Mattox)	42
VIII Public Comment	50
IX Commissioners' Comments	51
X Closed Session At any time during the meeting the Commission may meet in a session of Government Code section 11126, part of the Bagley-Keene Open Meeting Act.	53

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A. Litigation

The Commission may consider pending and possible litigation pursuant to the confidentiality of attorney-client communications and privileges provided under Government Code section 11126, subdivision (e).

1. The Commission may consider pending and possible matters that fall under Government Code section 11126, subdivision (e)(2)(A), concerning adjudicatory proceedings before a court, an administrative body exercising its adjudicatory authority, a hearing officer, or an arbitrator, to which the Commission is a party. Such matters currently include the following:
 - California Coastkeeper Alliance, California Coastal Protection v. California State Lands Commission
 - California State Lands Commission v. Signal Hill Service, Inc.; Pacific Operators, Inc., dba Pacific Operators Offshore, Inc.; DOES 1-100
 - California State Lands Commission, et al. v. Martins Beach 1 LLC, et al.
 - Eugene Davis v. State of California and California State Lands Commission
 - In re: PG&E Corporation and Pacific Gas and Electric Company, Bankruptcy Chapter 11
 - In re: Temblor Petroleum Company, LLC, Bankruptcy Chapter 11
 - In re: Venoco, LLC, Bankruptcy Chapter 11
 - In re: EHT US1, Inc. et al.
 - John W. Lebolt and Richard A. Lebolt v. City and County of San Francisco

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- Madden v. City of Redwood City
 - Martins Beach 1, LLC and Martins Beach 2, LLC v. Effie Turnbull-Sanders, et al.
 - Oakland Bulk and Oversized Terminal, LLC v. City of Oakland
 - Owens Valley Committee v. City of Los Angeles, Los Angeles Department of Water and Power, et al.
 - San Francisco Baykeeper, Inc. v. State Lands Commission
 - San Joaquin River Exchange Contractors Water Authority v. State of California; State Lands Commission
 - State of California v. International Boundary and Water Commission, et al.
 - State Lands Commission v. Plains Pipeline, L.P., et al.
 - United States v. Walker River Irrigation District, et al.
2. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(b), under which;
- a. A point has been reached where, in the opinion of the Commission, on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the Commission, or
 - b. Based on existing facts and circumstances, the Commission is meeting only to decide whether a closed session is authorized because of a significant exposure to litigation against the Commission.

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

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

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

Adjournment 54

Reporter's Certificate 55

PROCEEDINGS

1
2 CHAIRPERSON KOUNALAKIS: Good afternoon,
3 everyone. I hereby call this meeting of the State Lands
4 Commission to order. I am Lieutenant Governor Eleni
5 Kounalakis. Welcome to our completely virtual State Lands
6 Commission meeting.

7 Mrs. Lucchesi, will you please call the roll for
8 the Commissioners in attendance.

9 EXECUTIVE OFFICER LUCCHESI: Certainly. State
10 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: And Lieutenant
16 Governor Eleni Kounalakis?

17 CHAIRPERSON KOUNALAKIS: Present.

18 EXECUTIVE OFFICER LUCCHESI: Great. And Madam
19 Chair, we have a quorum present. In addition, I would
20 like to identify the members of the staff of the
21 Commission and the Attorney General present for this
22 virtual meeting. I am Executive Officer Jennifer
23 Lucchesi. I am joined by Chief Counsel Seth Blackmon,
24 meeting liaison Kim Lunetta, Assistant Executive Officer,
25 Colin Connor, and Supervising Deputy Attorney General

1 Andrew Vogel. We also have our Zoom co-hosts Katie
2 Robinson-Filipp, Mike Farinha, Phil Schlatter, and Grace
3 Kato. And we are also joined by a number of State Lands
4 Commission staff and experts to assist us during this
5 meeting.

6 Back to you, Chair.

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

16 Today, we will hear requests and presentations
17 involving the lands and resources within the Commission's
18 jurisdiction.

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

1 managing the land that we now share.

2 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 the California Native American communities for
7 participating in this Commission's activities, and for
8 their essential role in maintaining and adding to our
9 state's rich, cultural legacy.

10 The next item of business will be public comment.
11 Before I open the public comment period for items not on
12 the agenda, first let me thank everyone, especially our
13 stakeholders and members of the public for taking the time
14 to join our virtual meeting. Now, I want to turn it over
15 to Ms. Lucchesi to quickly share some instructions on how
16 we can best participate in this meeting, so that it runs
17 as smoothly as possible.

18 Ms. Lucchesi.

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

21 First, everyone, please make sure you have your
22 microphones or phones muted to avoid background noise.
23 For members of the public, if you would like to speak
24 either during our open public comment period or during a
25 public comment period that is part of an agenda item, you

1 will need to do so in one of two ways. First, if you are
2 attending on the Zoom platform, please raise your hand in
3 Zoom. If you are new to Zoom and you joined our meeting
4 using the Zoom application, click on -- click on the hand
5 icon at the bottom of your screen. When you click on that
6 hand, it will raise your hand.

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

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

21 After you are called on, you will be unmuted, so
22 you can share your comments. Please also to remember to
23 unmute your phone and identify yourself. You have a limit
24 of three minutes to speak on any item. Please keep your
25 comments respectful and focused. We will mute anyone who

1 fails to follow those guidelines.

2 The Commission has also established an email
3 address to compile public comments for our meetings. It's
4 address is cslc.commissionmeetings@slc.ca.gov. We have
5 received a number of emails from parties that have been
6 shared with all the Commissioners prior to the meeting.
7 If we receive any emails during the meeting, they will be
8 shared with the Commissioners and be made available on our
9 website, along with the public comment emails we have
10 already received.

11 Chair Kounalakis, that concludes my virtual
12 meeting instructions. We are ready to move to the general
13 public comment period.

14 CHAIRPERSON KOUNALAKIS: Thank you. So our next
15 order of business is the public comment period. If anyone
16 would like to address the Commission on any matter not on
17 today's agenda, please raise your hand, and you will have
18 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. For our first public commenter, we have
23 Sabrina Brennan.

24 MS. BRENNAN: Hi. Thanks for the opportunity to
25 speak before the Commission today. I'm Sabrina Brennan

1 and I represent Surf Equity and Sport Equity. It's our
2 understanding that Mavericks Beach and tidelands are
3 managed by the California State Lands Commission. At your
4 February 2021 meeting, I provided you with a presentation
5 about the ongoing gender discrimination problem at
6 Mavericks in San Mateo County.

7 Over the past five months, I brought the Coastal
8 Commission regular updates on gender discrimination at
9 Mavericks. At their May meeting, I provided results from
10 the 2021 Mavericks Surf Awards Contest. It was sad news
11 for women athletes. Surf contest organizer -- organizers
12 Jeff Clark and Chris Cuvelier selected two women finalists
13 and 14 men finalists. And prize money was awarded to four
14 men and only one woman.

15 In 2021, the State Lands Commission and the
16 Coastal Commission neglected to protect women athletes
17 from gender discrimination within State Lands jurisdiction
18 and authority and within the Coastal Commission's
19 jurisdiction.

20 It appears that passivity by commissioners
21 representing both State agencies resulted in a rollback of
22 hard won inclusion and equity advancements made by
23 previous staff and commissioners and some current
24 commissioners. We are concerned about the loss of
25 momentum and equitable coastal access for women.

1 On the bright side, here's an update on a film
2 project inspired by advocacy and past oversight efforts.
3 Before the ink was dry, Variety reported that filmmaker
4 Niki Caro and A list celebrity and producer Charlize
5 Theron are teaming up to develop a feature film about the
6 fight for gender equality in big wave surfing for Netflix.
7 Caro will direct the film and -- for a screen -- sorry.
8 Caro will direct the film from a screenplay adapted by
9 Becky Johnson. Caro wrote and directed whale rider and
10 Johnson wrote a screenplay for the Prince of Tides.

11 In June 2021, Theron's production company, Denver
12 and Delilah, signed a deal with Netflix to produce a
13 narrative film about the Committee for Equity in Women's
14 Surfing, also known as Surf Equity. The feature is based
15 on the 2019 New York Times magazine article, "The Fight
16 for Gender Equality in One of the Most Dangerous Sports on
17 Earth" and five Surf Equity co-founders Paige Alms,
18 Sabrina Brennan, Keala Kennelly, Andrea Moller, Bianca
19 Valenti, who are fighting for inclusion of women athletes
20 in surf competitions held at Mavericks in Northern
21 California and equal prize money for women professional
22 surfers.

23 In 2015, when I began fighting for equality in
24 big-wave surfing, women athletes were excluded from
25 competitions in California. At the time, equal pay wasn't

1 an option. With support from a small group of
2 professional athletes, help from activists, friends, and
3 State oversight from the Coastal Commission and State
4 Lands Commission, we won the fight for inclusion and equal
5 pay in 2018.

6 I never imagined a narrative film based on our
7 work would be developed by Charlize Theron's team and
8 Netflix.

9 Going forward, please direct your staff to take
10 concerns about gender discrimination seriously and provide
11 consistent oversight by requiring a State Lands lease for
12 all surf contests held at Mavericks.

13 Thank you.

14 CHAIRPERSON KOUNALAKIS: Thank you, Ms. Brennan.
15 Katie, could you call the next speaker, please?

16 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Yes.
17 Thank you, Madam Chair.

18 Our next speaker is Francis Coats.

19 CHAIRPERSON KOUNALAKIS: Francis Coats, are you
20 there? Can you hear us?

21 MR. COATS: There. This is Francis Coats. Can
22 you hear me now?

23 CHAIRPERSON KOUNALAKIS: Yes.

24 MR. COATS: Hello.

25 CHAIRPERSON KOUNALAKIS: Yes. Yes, we can hear

1 you.

2 MR. COATS: Yes. Okay. Good. Well, I have two
3 issues. One is the State Lands Commission should make
4 available to the public the lists of school and indemnity
5 lands prepared in connection with the offering of the
6 lands for sale. These lands either are still owned by the
7 State or were transferred after November 8th, 1910 and so
8 we're required to be subject to a reservation for public
9 fishing under the State Constitution. The Commission has
10 these on hand. They disclose perhaps some million acres
11 or more of land currently available and open for public
12 use that the public doesn't know about, and the Commission
13 should make these available.

14 One of the lists is printed inside of the 1924
15 Surveyor General's Biennial Report and is on your website,
16 if anybody wants to see what it looks like. The other
17 thing is I've been following the current Martins Beach
18 litigation, the implied indemnity action, and I really
19 wish the Commission would defend inland water access.
20 There's a place near the Fremont Weir where the landowners
21 blocked access seven years ago. There's an express
22 reservation of an easement for a public road. There are
23 two or three other really simple easy-to-prove issues, but
24 the State Lands Commission has lent its name to the
25 Martins Beach litigation, but doesn't seem to be active

1 defending access to the inland waters. And it would be
2 nice if you would consider that, especially the problem
3 with Fremont Weir.

4 Thank you.

5 CHAIRPERSON KOUNALAKIS: Thank you very much.
6 Katie, would you please call the next speaker?

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

10 CHAIRPERSON KOUNALAKIS: Okay. Thank you, Katie.
11 That concludes our public comment period.

12 The next item of business will be the adoption of
13 the minutes from the Commission's meeting of April 27th,
14 2021. May I have a motion to approve the minutes and a
15 second?

16 COMMISSIONER YEE: I'll move approval, Madam
17 Chair.

18 CHAIRPERSON KOUNALAKIS: And a second?

19 ACTING COMMISSIONER MILLER: I'll second, Madam
20 Care. Sorry.

21 CHAIRPERSON KOUNALAKIS: Okay. Commissioners,
22 please raise your hand in Zoom if you would like, well, to
23 vote.

24 (Laughter.)

25 EXECUTIVE OFFICER LUCCHESI: I can actually call

1 a roll call vote.

2 (Laughter.)

3 CHAIRPERSON KOUNALAKIS: I'm going to this right
4 at some point. My apologies.

5 EXECUTIVE OFFICER LUCCHESI: No worries.

6 CHAIRPERSON KOUNALAKIS: Jennifer Lucchesi, would
7 you please call the roll.

8 EXECUTIVE OFFICER LUCCHESI: Certainly.

9 CHAIRPERSON LUCCHESI: And we'll lower our hands.

10 EXECUTIVE OFFICER LUCCHESI: Commissioner Yee?

11 COMMISSIONER YEE: Aye.

12 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

13 ACTING COMMISSIONER MILLER: Aye.

14 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

15 CHAIRPERSON KOUNALAKIS: Aye.

16 EXECUTIVE OFFICER LUCCHESI: The motion passes
17 unanimously.

18 CHAIRPERSON KOUNALAKIS: Thank you.

19 The next order of business is the Executive
20 Officer's report. Ms. Lucchesi, may we have that report,
21 please?

22 EXECUTIVE OFFICER LUCCHESI: Of course. I have a
23 couple of things I'd like to update the Commissioners on.
24 First is the 2021-2022 State budget that was recently
25 passed by the Legislature yesterday. That budget includes

1 several items specific to the Commission. The first is a
2 one-time \$2 million appropriation from the Environmental
3 License Plate Fund for operations, maintenance, and
4 dredging of the Bolsa Chica Wetlands.

5 The second is a one-time \$49.5 million general
6 fund appropriation in repurposing a previous \$2.5 million
7 general fund appropriation for fiscal year 2022-23 to
8 complete phase one of the South Ellwood Project and
9 initiate an Environmental Impact Report and feasibility
10 study to decommission Platform Holly offshore Santa
11 Barbara County.

12 The third item is a \$250 million transfer of
13 federal Coronavirus fiscal recovery funds to the
14 Commission. The Commission is required to appropriate
15 this funding to California ports impacted by the COVID-19
16 State of Emergency.

17 The budget also (inaudible) deficit in the oil
18 spill prevention and administration fund by increasing the
19 per barrel fee from 6.5 cents to 8.5 cents with annual CPI
20 adjustments and authorizes the administrator to adjust fee
21 levels to maintain an adequate fund balance. Trailer bill
22 language associated with the fee increase expands the
23 definition of regulated oil to include renewable fuels.
24 The Oil Spill Prevention and Administration Fund revenue
25 supports the Commission's Mineral Resources Management and

1 Marine Environmental Protection Division's oil spill
2 prevention work.

3 The budget also includes \$10 million to the
4 Department of Parks and Recreation, State Lands
5 Commission, California Coastal Commission, and the State
6 Coastal Conservancy for public access at Hollister Ranch,
7 and it includes \$12 million to the State Lands Commission
8 to remove abandoned and derelict vessels in the
9 Sacramento, San Joaquin, Delta region.

10 Next, I'd like to update the Commission on its
11 COVID-19 rent and application expense deferral program.
12 This program authorizes the Executive Officer to enter
13 into negotiated settlements with qualified lessees for
14 rent and application expense deferrals and penalty
15 waivers. The program expires 90 days after the Governor
16 lifts Executive Order 9 -- N-33-20, which was lifted on
17 June 11th of this year.

18 Staff is in the process of notifying program
19 participants about the program expiration and the due date
20 for payment of deferred rent. Next, I'd like to highlight
21 recent partnering with a local California Native American
22 tribe. In February 2021, the Commission's tribal liaison
23 was notified that Native American remains had been
24 discovered in the bed of the Mokelumne River in the San
25 Joaquin County near the community of Woodbridge.

1 The Native American Heritage Commission
2 identified the Wilton Rancheria as the most likely
3 descendent. And the Wilton Rancheria representative
4 requested assistance from the Commission to find a
5 suitable location where the remains had been found for the
6 tribe to rebury the remain.

7 In May 2021, the Wilton Rancheria representative
8 located a suitable area on State sovereign lands within
9 the Cosumnes River Preserve and staff authorized the
10 tribe, through a letter of non-objection, to bury the
11 remains. The Commission's Tribal Liaison transferred the
12 remains to the Chairman of the Wilton Rancheria and the
13 remains were successfully laid to rest according to the
14 tribe's traditional ceremony in a confidential location
15 within the preserve. This successful partnership
16 illustrates the Commission's commitment to honoring and
17 uplifting tribal sovereignty through creative
18 solution-oriented collaboration.

19 And finally, I'd like to update the Commission on
20 our two offshore oil and gas decommissioning projects.
21 The first one is Rincon. All island and onshore wells
22 have been abandoned. Offshore and onshore tank batteries,
23 and production vessels, and equipment have been removed as
24 have the oil and gas pipelines across the causeway. We
25 are officially transitioning the onshore and island

1 facilities to caretaker status. This is a significant
2 milestone that we've reached.

3 The next phase, known as phase two, is underway.
4 Our environmental consultant, Padre Associates, has begun
5 the environmental analysis work, which will include
6 conducting a feasibility study and preparing CEQA
7 documentation to evaluate decommissioning alternatives for
8 the disposition of the island and onshore facilities. The
9 feasibility study will include a geophysical survey,
10 biological assessment, environmental analysis, coastal
11 engineering study, socioeconomic analysis, soil and water
12 assessment, and engineering assessments.

13 The feasibility study is anticipated to be
14 completed within the next six months, after which the CEQA
15 analysis will commence, which is anticipated to take eight
16 to 24 months to complete. Both the feasibility study and
17 the CEQA analysis will include extensive public and
18 stakeholder outreach. The Commission has already held
19 virtual town halls in April and May of this year and just
20 last week held a phase two feasibility planning workshop.

21 The Platform Holly and Piers 421 decommissioning
22 project remain -- excuse me. The Platform Holly project
23 remains suspended due to COVID-19 restrictions and space
24 limitations on the platform. Staff continues to maintain
25 and monitor the platform and onshore facilities to ensure

1 public health and safety. Staff, ExxonMobil, and their
2 subcontractors are preparing to resume plug and
3 abandonment activities in late summer or early fall.

4 However, we are making significant progress on
5 the Piers 421 decommissioning project. Earlier this month
6 staff issued the Notice of Preparation for the Piers 421
7 removal project and also held a virtual public scoping
8 meeting, two of them, in fact, last week to solicit
9 comments on that Notice of Preparation. The Environmental
10 Impact Report that we are currently developing is
11 anticipated to be completed by the end of this year.

12 That concludes my Executive Officer's report.
13 And I'll turn it back over to Chair Kounalakis.

14 Thank you.

15 CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.
16 Lucchesi. Let me just commend you and your team for your
17 work and engagement with the Governor and the Legislature
18 around this historic budget. Our State has never seen a
19 surplus anywhere near this magnitude, which, of course,
20 has already also been contributed to with federal funds
21 through the American Rescue Act and the American CARES Act
22 before that.

23 But relative to the Rescue Act in particular,
24 some of the funds that are available to be used for
25 economic health, and through this legislative process, and

1 your engagement, I will actually just give a shout-out to
2 some of the folks in my office who are working very
3 closely with the ports. And it's just extremely
4 important.

5 You know, healthy ports for California contribute
6 to a healthy environment and a healthy economy. And they
7 were fundamentally left out of most of the stimulus aid
8 that had been distributed since the COVID crisis began.
9 And so this is a hugely important thing for our ports.
10 And, Jennifer, to have you engaged in the equitable
11 distribution of some of these funds among our ports, I
12 know endears a great deal of trust and it's, I think, more
13 than anything else, just a huge relief to know that help
14 is coming.

15 So thank you for that report and for that --
16 particularly your work with the budget. And Commissioner
17 Yee, do you have any comments or questions you'd like to
18 add?

19 COMMISSIONER YEE: Thank you, Madam Chair. Just
20 echoing your comments and the sustained leadership by the
21 Commission staff under Ms. Lucchesi. It is -- really, I
22 think just gives me confidence to be in a position of
23 where the recovery will involve, you know, just the State
24 Lands Commission staff, and to your leadership on the port
25 issue especially, to be able to avail ourselves of the

1 Federal funds that came to California is going to be very,
2 very helpful and really looking forward to being able to
3 see our ports just back in operation as California
4 continues to recover.

5 Thank you.

6 CHAIRPERSON KOUNALAKIS: Commissioner Miller, any
7 comments or questions?

8 ACTING COMMISSIONER MILLER: No, I appreciate
9 that. Just, I agree, if I may also just shout-out to
10 actually every -- your team and the Controller's team, and
11 especially, Ms. Lucchesi, who really worked to find a
12 grant program that can work, that can work quickly, and
13 that I do think it's something -- it's certainly an
14 example of team work and working together to make sure
15 that we get the best product. So thank you for that.

16 CHAIRPERSON KOUNALAKIS: Commissioner Miller, we
17 should probably acknowledge members of your team as well
18 on this and so many issues surrounding this historic --

19 ACTING COMMISSIONER MILLER: Absolutely. I think
20 the Department of Finance team has worked tirelessly for a
21 long time. So thank you for that.

22 CHAIRPERSON KOUNALAKIS: The next order of
23 business will be the adoption of the consent calendar.

24 Commissioner Yee, Commissioner Miller, are there
25 any items you would like removed from the consent

1 calendar?

2 COMMISSIONER YEE: I don't have any.

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

6 EXECUTIVE OFFICER LUCCHESI: Certainly. Consent
7 Items 23, 46, and 47 are removed from the agenda and will
8 be considered at a later time.

9 CHAIRPERSON KOUNALAKIS: Okay. Sorry. So now we
10 have another --

11 EXECUTIVE OFFICER LUCCHESI: So, yeah, at this
12 point, we can ask if there is anybody joining us that
13 would like to speak on any of the remaining items on the
14 consent agenda?

15 CHAIRPERSON KOUNALAKIS: So if there is anyone
16 who would like to speak on the remaining items on the
17 consent calendar, please raise your Zoom hand or dial star
18 nine, if joining by phone now.

19 Katie, has anyone raise their hand?

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

22 CHAIRPERSON KOUNALAKIS: Okay. Then let's go
23 ahead and proceed with the vote. May I have a motion to
24 adopt the consent agenda and a second?

25 COMMISSIONER YEE: Sure. I'll so move, Madam

1 Chair.

2 ACTING COMMISSIONER MILLER: Second, please.

3 CHAIRPERSON KOUNALAKIS: Okay. Ms. Lucchesi,
4 would you please call the roll?

5 EXECUTIVE OFFICER LUCCHESI: Certainly.

6 Commissioner Yee?

7 COMMISSIONER YEE: Aye.

8 EXECUTIVE OFFICER LUCCHESI: Commission Miller?

9 ACTING COMMISSIONER MILLER: Aye.

10 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

11 CHAIRPERSON KOUNALAKIS: Aye.

12 EXECUTIVE OFFICER LUCCHESI: The motion passes
13 unanimately.

14 CHAIRPERSON KOUNALAKIS: The next -- the next
15 order of business will be the regular calendar. Item 49
16 is to receive an update on the State legislation relevant
17 to the State Lands Commission.

18 May we have the presentation?

19 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.
20 Thank you, Madam Chair and Commissioners. This item is an
21 update about State legislation. Staff is not recommending
22 any action associated with this item at this time. The
23 staff report summarizes that array of natural resources
24 and public land management legislation that staff is
25 monitoring this year. A few of the significant items

1 involve offshore wind energy, plastic pollution, climate
2 change, and sea level rise. I won't go into detail on
3 these bills, but I'm happy to answer any questions.

4 And then as part of this update, I wanted to give
5 a brief update on legislation the Commission is pursuing
6 this year, primarily AB 1390 related to the Commission's
7 school lands, which the Commission is sponsoring. This
8 bill was approved today in the Senate Natural Resources
9 and Water Committee and is pending in the Senate
10 Appropriations Committee.

11 It would make it easier for the Commission to
12 sell or lease school lands. It would also give the
13 Executive Officer -- or delegate author -- delegate
14 authority to the Commission to delegate -- authorize --
15 I'm sorry. I'm stumbling over my words. It would
16 authorize the Commission to delegate authority to the
17 Executive Officer to make non-refundable down payments for
18 school land acquisitions. That would allow us to pursue
19 acquisitions in a more timely fashion.

20 The second two bills that I wanted to highlight
21 are SB 822 and SB 824, both are omnibus bills that
22 incorporate non-substantive changes that will improve the
23 management of our marine invasive species program. Those
24 bills have also been moving through successfully and are
25 pending in the Assembly Appropriations Committee.

1 And that concludes my report.

2 CHAIRPERSON KOUNALAKIS: Thank you, Ms.
3 Pemberton.

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

6 COMMISSIONER YEE: Actually just a comment, Madam
7 Chair. I just wanted to applaud the administration for
8 the significant investments in the natural resources and
9 environmental area in the budget. I know a number of our
10 pending bills are bond measures and I just really
11 appreciate our taking the opportunity, while we have
12 additional revenue coming to the state, to make some
13 critical investments in these areas. So really grateful
14 to the administration for its foresight.

15 CHAIRPERSON KOUNALAKIS: Thank you.

16 Commissioner Miller, do you have any comments or
17 questions?

18 ACTING COMMISSIONER MILLER: (Shakes head.)

19 CHAIRPERSON KOUNALAKIS: Katie, do we have any
20 public comments? If anyone would like to comment, please
21 raise your Zoom hand now.

22 Katie, anyone with their hand raised?

23 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
24 you, Madam Chair. At the -- oh, we have one speaker who
25 would like to make a comment. Francis Coats.

1 MR. COATS: I didn't hear the bill number for the
2 law was going -- proposed to make it easier to sell school
3 lands. Could you give me that bill number again?

4 CHAIRPERSON KOUNALAKIS: Ms. Pemberton, can you
5 read out that bill number again, please?

6 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.
7 It's AB 1390.

8 MR. COATS: Thank you. That's all. Thank you.

9 CHAIRPERSON KOUNALAKIS: Mr. Coats, is that the
10 end of your comment or question?

11 MR. COATS: That's -- that was the extent of
12 my -- you know, that I'm just concerned that the -- we
13 continue to reserve access when we sell land on or near or
14 river or navigable water, and that we reserve fishing
15 rights every time that we transfer State school lands or
16 any State-owned land.

17 Thank you.

18 CHAIRPERSON KOUNALAKIS: Thank you very much.
19 Katie, has anyone else raised their hand?

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

23 CHAIRPERSON KOUNALAKIS: Okay. Ms. Pemberton,
24 thank you for the presentation. We will move to the next
25 item. Item 50 is to consider supporting the West Coast

1 Ocean Protection Act, the California Clean Coast Act and
2 the American Coasts and Oceans Protection Act legislation
3 pertaining to banning offshore drilling.

4 May we have the presentation, please.

5 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.
6 Thank you, Madam Chair and commissioners. This item
7 recommends that the Commission support three federal bills
8 that would ban new offshore oil and gas leasing in federal
9 waters. The first bill, the West Coast Ocean Protection
10 Act, is by Senator Feinstein. The second is the
11 California Clean Coast Act by Representative Carbajal.
12 These bills would permanently ban new offshore oil and gas
13 leasing on the outer continental shelf off the coast of
14 California, Oregon, and Washington.

15 The third bill, the American Coasts and Oceans
16 Protection Act by Representative Levine[SIC], bans new
17 offshore oil and gas leasing in Southern California.
18 These three bills are in their policy committees and they
19 haven't been marked up yet. The Commission has supported
20 similar legislation in past years and staff believes it's
21 prudent for the Commission to continue to express its
22 support for legislation banning new offshore oil and gas
23 development in federal waters offshore California and the
24 Pacific coast.

25 And for that reason, we recommend that the

1 Commission adopt a support position on these three bills.

2 CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.
3 Pemberton. And let me just say I'm grateful to the
4 Commission to bringing this for us. I very strongly
5 support these federal actions. Our California coast is
6 absolutely precious to us, to our people, to their
7 enjoyment, for the incredible biological diversity that
8 could be put at risk, and, of course, for future
9 generations to come.

10 Commissioner Yee, do you have any comments or
11 questions?

12 COMMISSIONER YEE: I just had a question. I'm
13 sorry, it was representative Levine -- is that -- is
14 that -- is it Levine or Levin or is it -- I'm not
15 recognizing a Congressional member with the last name of
16 Levine.

17 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: I
18 believe it's representative Levine. Let me check.

19 COMMISSIONER YEE: Okay.

20 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: I
21 will check and follow up.

22 COMMISSIONER YEE: Okay.

23 CHAIRPERSON KOUNALAKIS: Commissioner Miller, any
24 comments or questions?

25 ACTING COMMISSIONER MILLER: No. I agree with

1 the great word, mad -- work, Madam Chair, but I'm going to
2 actually abstain from this and -- just because we don't
3 like to presuppose any action that the Governor may take,
4 but obviously without discrimination and agree that the
5 work is fantastic.

6 CHAIRPERSON KOUNALAKIS: Okay. Katie, do we have
7 any public comments? If anyone would like to comment,
8 please raise your Zoom hand now. Katie, any comments?

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

12 CHAIRPERSON KOUNALAKIS: Okay. So I know we are
13 recommending this, Ms. Lucchesi. Do we take a vote?

14 EXECUTIVE OFFICER LUCCHESI: Yes.

15 CHAIRPERSON KOUNALAKIS: Okay. Very good. Then
16 I can make a motion, is that right?

17 EXECUTIVE OFFICER LUCCHESI: Yes.

18 CHAIRPERSON KOUNALAKIS: So I will move approval
19 of the staff recommendation. Do I have a second?

20 COMMISSIONER YEE: Yes. Happy to second it,
21 Madam Chair.

22 CHAIRPERSON KOUNALAKIS: Ms. Lucchesi, please
23 call the roll.

24 EXECUTIVE OFFICER LUCCHESI: Commissioner Yee?

25 COMMISSIONER YEE: Aye.

1 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

2 ACTING COMMISSIONER MILLER: Abstaining please.

3 EXECUTIVE OFFICER LUCCHESI: Um-hmm.

4 And Chair Kounalakis?

5 CHAIRPERSON KOUNALAKIS: Aye.

6 EXECUTIVE OFFICER LUCCHESI: The motion passes
7 two -- with two votes and one abstention.

8 CHAIRPERSON KOUNALAKIS: Thank you, Ms. Lucchesi.

9 Item 51 is to consider supporting SB 796 that
10 would authorize Los Angeles County to sell, transfer, or
11 encumber Bruce's Beach, a portion of land within Manhattan
12 State Beach.

13 May we have the presentation, please.

14 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.

15 Yes, Madam Chair and commissioners. And if I may, I
16 wanted to also respond to Commissioner Yee's question
17 about Item 50 quickly. It's my mistake. It's
18 representative Levin.

19 COMMISSIONER YEE: Okay.

20 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Not
21 Levine. I apologize for that mistake.

22 COMMISSIONER YEE: That's all right. No, I
23 thought it was our own congressional member, so that's
24 great. Thank you.

25 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON:

1 You're welcome. Item 51 recommends that the
2 Commission support SB 796 by Senator Bradford. This is
3 legislation that would authorize LA County to sell,
4 transfer, or encumber Bruce's Beach, which is a portion of
5 land in Manhattan Beach, under terms and conditions that
6 the board of supervisors determines are in the best
7 interest of the county and the public.

8 And for context, Bruce's Beach, the two parcels,
9 are slightly upland, not directly along the shoreline.

10 Bruce's Beach was a Black-owned resort that
11 opened in 1912 when the Bruce family purchased land
12 overlooking the ocean in the City of Manhattan Beach. The
13 resort was a place where Black people could enjoy the
14 coast during a time when beaches were segregated and
15 access to the coast was difficult. It was the first
16 resort on the west coast that served Black families.

17 And from the beginning, the Bruce family faced
18 discrimination, and harassment, and threats, and violence
19 from white residents and white supremacist groups. Many
20 Black beachgoers would return from the beach to find air
21 been let out of their tires and visitors were forced to
22 walk an extra half mile around another property, because
23 of no trespassing signs and security.

24 Despite this harassment and intimidation, the
25 Bruce family persevered and continued to grow their

1 business into the early 1920s. In response, White
2 landowners discovered a legal mechanism to shut down the
3 Bruce's Resort. The Park and Playground Act of 1909
4 allowed condemnation procedures for recreational civic
5 use.

6 This law was leveraged to petition the City to
7 use eminent domain to seize the land and convert the area
8 into a public park, which happened in 1924 when the City
9 condemned the neighborhood and took that parcel the two
10 parcels that belonged to the Bruce family and over a dozen
11 other properties via eminent domain.

12 After that, the property sat empty for decades
13 and in 1948, the City transferred the parcels to the
14 State, who then in 1995 transferred the parcels to the
15 County of LA. The 1995 transfer imposed statutory
16 restrictions that the county maintain the property for
17 public recreation and beach purposes in perpetuity. Los
18 Angeles County currently runs a lifeguard center on the
19 site and is now leading the charge to return the property
20 to the Bruce family descendants.

21 But to make that happen, the State of California
22 has to pass a bill to change the deed restrictions on the
23 property. So SB 796 would allow LA County to deed Bruce's
24 Beach back to the Bruce family. The bill recently passed
25 the Senate unanimously is and pending in the Assembly

1 Natural Resources and Water Committee. The bill is about
2 reparations. And what underpines -- underpins the bill
3 are concepts that are imbued in our new strategic plan, in
4 our JEDI team work and what flows from our two years
5 participating in the Government Alliance on Race and
6 Equity.

7 There are long-term systemic inequities that
8 persist in our State and nation. And they, in part, stem
9 from government decisions in the past. And
10 racially-motivated land dispossession is one of those
11 government actions that contributes to these long-term
12 inequities. And because of these past injustices, some
13 people were prevented from building wealth and passing it
14 down to their kids and grandkids.

15 Staff believes that a support position from the
16 Commission is an opportunity to include our voice in
17 support of righting a wrong, and an opportunity to help
18 return land to its former owners or descendants of those
19 owners.

20 And as Senator Bradford, the author of the bill,
21 said if you can inherit generational wealth, you can
22 inherit generational debt. And that's a debt that
23 California owes to the Bruce family and a debt that
24 California and the nation owes to many more families.

25 And I'll close with that and I'm happy to answer

1 any questions.

2 CHAIRPERSON KOUNALAKIS: Well, thank you very
3 much for your presentation, Ms. Pemberton. This is really
4 an extraordinary moment for us to be able to act in a way
5 that's consistent with what so many of us have really felt
6 passionately about certainly in the last year and a half,
7 where there's been such a significant national awakening
8 to the disparities and institutionalized racism that have
9 plagued our country and our state.

10 So to have the opportunity, in this one case, to
11 be able to make right a truly historic wrong is really --
12 I mean, it's a -- it's quite a thing to be able to do
13 something like this. And as the debates over reparations
14 continues to occupy so many experts across the country, we
15 can stand up and say here is a case where it is absolutely
16 clear what the right thing to do is and we have an
17 opportunity to move this decision forward and return this
18 property to the Bruce family.

19 So thank you very much to everyone and, of
20 course, to the Bruce family themselves and others, who
21 have been active around this issue for such a long time to
22 have brought it to this point.

23 Commissioner Yee, do you have any comments or
24 questions?

25 COMMISSIONER YEE: Thank you, Madam Chair. Thank

1 you for your comments, which I echo. And as we are poised
2 to, you know, really launch the discussions about
3 reparations, oftentimes we think that this is a
4 conversation that's looking ahead. But when, in fact,
5 there were many things in the past that we definitely need
6 to right. And I'm just -- I just feel very honored that
7 we have the opportunity to weigh in on this with the
8 Commission's voice. And so when it's appropriate, I'd be
9 happy to move support of the bill.

10 CHAIRPERSON KOUNALAKIS: Ms. Miller.

11 ACTING COMMISSIONER MILLER: Agree completely.
12 And again, we'll be abstaining just for -- so the Governor
13 can take action later, but appreciate all the work that's
14 been done.

15 CHAIRPERSON KOUNALAKIS: Okay. Then, Ms.
16 Lucchesi, I'd like to move to approve this item. Do I
17 have a second?

18 COMMISSIONER YEE: Yes, I second.

19 CHAIRPERSON KOUNALAKIS: Thank you.

20 EXECUTIVE OFFICER LUCCHESI: And may I just take
21 a pause. We do need to turn it over to public comment.

22 CHAIRPERSON KOUNALAKIS: Oh, my apologies. My
23 apologies.

24 First, Katie, do we have anyone who would like to
25 speak on this issue. If members of the public would like

1 to make a comment, please raise your Zoom hand now.

2 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
3 you, Madam Chair. Our first speaker is Francis Coats.

4 MR. COATS: Hello. This is Francis Coats. I
5 wanted to be sure that the State was going to reserve the
6 fishing rights under Section 25, Article 1, when they
7 transfer this land. And I was maybe wondering if people
8 had thought about section 6210.4 of the Public Resources
9 Code. I don't know what this land looks like. I don't
10 know if it's necessary to have an easement to provide
11 public access for recreation or not.

12 Thank you.

13 CHAIRPERSON KOUNALAKIS: Ms. Lucchesi.

14 EXECUTIVE OFFICER LUCCHESI: Certainly. So we
15 will look into that, but I don't believe that this land is
16 subject to the provisions that Mr. Coats was just
17 referencing, because this is county-owned land with
18 certain deed restrictions associated with them from the
19 Department of State Parks and Recreation. They -- so we
20 will look into those comments that he made. But my
21 immediate instinct is that it's not applicable given the
22 historic ownership of this property. It is -- as it
23 relates to the State Lands Commission, this is neither
24 sovereign nor school lands.

25 CHAIRPERSON KOUNALAKIS: Thank you, Ms. Lucchesi.

1 Katie, is there anyone else who would like to
2 speak on this item?

3 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Madam
4 Chair, our next speaker is Sabrina Brennan.

5 CHAIRPERSON KOUNALAKIS: Ms. Brennan.

6 MS. BRENNAN: High. Thank you for the
7 opportunity. I'm Sabrina Brennan speaking on behalf of
8 Surf Equity and Sport Equity. And I just wanted to thank
9 everyone for their efforts. It's really important to make
10 this correction. And there is a sad history of racial
11 discrimination in California. It has impacted coastal
12 access and access throughout the state. And it's just
13 horrifying to think about what this family went through.
14 So I just wanted to make those comments. And, you know,
15 it's times like these that we can feel proud to be
16 Californians, when our state does things to right past
17 wrongs and make reparations.

18 I would also like to ask this Commission to
19 please take seriously issues of gender-based
20 discrimination.

21 Thank you.

22 CHAIRPERSON KOUNALAKIS: Thank you.

23 Katie, do we have any other speakers?

24 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
25 you, Madam Chair. At this time, we have no other hands

1 raised.

2 CHAIRPERSON KOUNALAKIS: Okay. We have a motion
3 and a second. Ms. Lucchesi, will you please call the
4 roll.

5 EXECUTIVE OFFICER LUCCHESI: Certainly.

6 Commissioner Yee?

7 COMMISSIONER YEE: Aye.

8 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

9 ACTING COMMISSIONER MILLER: Abstain.

10 EXECUTIVE OFFICER LUCCHESI: And Chair

11 Kounalakis?

12 CHAIRPERSON KOUNALAKIS: Aye.

13 EXECUTIVE OFFICER LUCCHESI: The motion passes
14 with two votes and one abstention.

15 CHAIRPERSON KOUNALAKIS: Thank you.

16 Our next item, Item 52, is to consider proposing
17 amendments to the federal Vessel Incidental Discharge Act
18 to improve states' access to vessel discharge data and
19 address impacts to the Marine Invasive Species Control
20 Fund. May we please have the presentation?

21 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.

22 Thank you, Madam Chair and Commissioners. This item
23 recommends that the Commission authorize staff to engage
24 in discussions with Congress about amending the federal
25 Vessel Incidental Discharge Act to improve states' access

1 to vessel discharge data and to address impacts to the
2 State's Marine Invasive Species Control Fund.

3 There are two components to this item and I'll
4 explain the discharge data component first and provide
5 some context about the Vessel Incidental Discharge Act.
6 This Act, known as VIDA, was passed in 2018 following a
7 decade or so of failed attempts at passage.

8 VIDA creates a uniform national standard for
9 vessel discharges, including ballast water, and preempts
10 California and other states from implementing more
11 stringent state-specific discharge standard. But VIDA
12 allows states to petition the U.S. EPA, the rulemaking
13 entity, for stricter discharge standards. The process,
14 however, is vague and it's unclear what data and
15 information would need to be provided for a petition to be
16 approved.

17 The U.S. Coast Guard holds the best available
18 data on ballast water treatment system performance as part
19 of the documentation associated with the current ballast
20 water treatment system type approval process. The Coast
21 Guard, however, refuses to release that data to the public
22 through the Freedom of Information Act. They state that
23 the data includes trade secrets and commercial or
24 financial information that's exempted from the lease.

25 Our view is that we disagree and we believe that

1 the performance data doesn't constitute a trade secret or
2 proprietary information. While the design and technical
3 features of treatment systems are proprietary, disclosure
4 of the concentration of organisms and pollutants that are
5 discharged during type approval tests, which is the data
6 we seek, is not a trade secret.

7 These end-of-pipe discharge data can be separated
8 from proprietary information and they're critical to
9 identifying appropriate discharge standards. So this
10 information can really help inform a petition to the U.S.
11 EPA to strengthen the federal ballast water discharge
12 standards, if the data supports such a conclusion.

13 And stricter standards would help further protect
14 California waters from the introduction of nonindigenous
15 invasive species. And so for this reason, staff
16 recommends that the Commission authorize staff to engage
17 in these discussions with Congress to improve states'
18 access to the discharge data.

19 The second component of this item relates to the
20 State's Marine Invasive Species Control Fund, which is the
21 sole funding source for the Marine Invasive Species
22 Program that the Commission administers. It's a hundred
23 percent supported by fees that are assessed on arriving
24 vessels. VIDA caps the state fees that vessels must pay
25 when they arrive at ports to support the ballast water

1 management practices and programs. The fee cap under VIDA
2 is \$1,000 per qualifying voyage, which is the same as
3 California's current fee. So the Commission will be
4 restricted from raising the fee to address higher costs.

5 For context, the Commission typically, through a
6 regulatory process, raises the fee every few years, most
7 recently in 2017 when it was raised from \$850 per vessel
8 to \$1,000 per vessel. VIDA also establishes a cap of
9 \$5,000 on the total fees that may be assessed per year on
10 each U.S. flagged vessel. As a result, the Marine
11 Invasive Species Control Fund is projected to lose between
12 three hundred and five hundred thousand dollars in revenue
13 in subsequent years when VIDA is fully implemented. And
14 that loss would push that Marine Invasive Species Control
15 Fund toward insolvency and really imperil our program.

16 So for this reason, staff recommends that the
17 Commission authorize staff to engage in discussions with
18 Congress about adjusting the cap to ensure that the fee
19 collection is sufficient to support California's program
20 to inspect vessels and enforce the provisions of VIDA and
21 the Marine Invasive Species Act.

22 Thank you and that concludes my presentation.

23 CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.
24 Pemberton. I actually have a question, not on this second
25 part, but on the first part about the data collection.

1 How long has this conversation been going on? Have we
2 known that there is data that exists that we haven't been
3 able to access and has this been an ongoing issue? What
4 is it that's new about this conversation that requires
5 permission to speak with our federal partners?

6 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yeah.
7 It's an ongoing issue. It's been happening for a few
8 years. We requested this information from the U.S. Coast
9 Guard through a Freedom of Information Act a few years
10 ago. I do have our Marine Invasive Program Manager Chris
11 Scianni available, if that would be acceptable. And I
12 think he'd more qualified to speak directly to those
13 questions, if he could be promoted to a panelist and speak
14 to that.

15 CHAIRPERSON KOUNALAKIS: Ms. Lucchesi, is that
16 something we can do.

17 EXECUTIVE OFFICER LUCCHESI: Yes. He's actually
18 already a panelist, so we're just waiting for him to turn
19 his video and unmute himself.

20 I do want to just address your initial question
21 about receiving authorization for us to speak with our
22 federal partners. That's something, because it is a
23 significant step to speak with our congressional
24 representatives to pursue federal legislation, we did want
25 to get that permission from the Commission before we

1 meaningfully engaged on both of these items. So that's a
2 function of just the way staff interacts with the State
3 Lands Commission and the significance of engaging with our
4 federal partners.

5 And with that, I'll turn it over to Chris to
6 ask -- to answer your more substantive question about the
7 data collection.

8 CHAIRPERSON KOUNALAKIS: Hello, Chris.

9 SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: Thank
10 you. Yeah, we have been working through the Freedom of
11 Information Act to try to get these data from the Coast
12 Guard for several years now. We put in an initial FOIA
13 request that was denied. We appealed that and we still
14 haven't been successful.

15 Our goal is to -- the U.S. EPA is setting these
16 standards and they're supposed to be setting standards
17 based on the best available technology and the best
18 available data. And, in our view, these are the best
19 available data on the best available technologies and they
20 aren't being used. And they have not been shared with
21 U.S. EPA either.

22 So our position is for us to be able to make that
23 petition to strengthen the standards, those data need to
24 be publicly available to be part of the public docket.
25 And so that's -- we've been trying for several years now.

1 CHAIRPERSON KOUNALAKIS: Thank you.

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: No. Happy to move
7 when you're ready for that, Madam Chair.

8 CHAIRPERSON KOUNALAKIS: Okay. First, we will
9 turn to Katie and see if there's anyone who is watching,
10 who would like to make a public comment on this item. If
11 you would like to make a comment, please raise your Zoom
12 hand now.

13 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
14 you, Madam Chair. At this time, we have no hands raised
15 for public comment.

16 CHAIRPERSON KOUNALAKIS: Okay. May I have a
17 motion to adopt staff's recommendation and a second?

18 ACTING COMMISSIONER MILLER: So moved.

19 COMMISSIONER YEE: I'll second.

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

22 EXECUTIVE OFFICER LUCCHESI: Certainly.

23 Commissioner Yee?

24 COMMISSIONER YEE: Aye.

25 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

1 ACTING COMMISSIONER MILLER: Aye.

2 COMMISSIONER YEE: Chair Kounalakis?

3 CHAIRPERSON KOUNALAKIS: Aye.

4 EXECUTIVE OFFICER LUCCHESI: The motion passes
5 unanimously.

6 CHAIRPERSON KOUNALAKIS: Okay. Wow, we are
7 really moving through this, aren't we?

8 Item 53 is to consider a resolution supporting
9 the recommendation of the Patsiata Tribal Oversight
10 Committee to the Patsiata Cultural Resources Task Force
11 regarding implementation of a vegetation enhancement
12 project at Owens Lake.

13 May we please have the presentation.

14 EXECUTIVE OFFICER LUCCHESI: Jennifer Mattox, our
15 Tribal Liaison will be providing staff's presentation.

16 SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:
17 Yes, there is a pre -- there is a few slides, so
18 I'll wait for that to load up.

19 (Thereupon a slide presentation.)

20 SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:
21 Awesome. Thank you, Phil.

22 Yeah. As Jennifer said, good afternoon, Chair
23 and Commissioners. I'm Jennifer Mattox. And today, I am
24 presenting on this item as the tribal liaison for the
25 Commission. We are asking you to consider or adopting a

1 resolution that would support a recommendation by Patsiata
2 Cultural Resources Task Force tribal representatives, and
3 I'll say PCRTF for the rest of the presentation.

4 And this is related to the Sibi Patsiata-wae-tü
5 cultural area on Owens Lake. In this presentation, I'll
6 take you through a really brief background and history of
7 this parcel and then describe the resolution and why we're
8 asking you to take action on it today.

9 Next slide, please.

10 --o0o--

11 SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

12 Awesome.

13 So this first depicts some goals. This Sibi
14 Patsiata-wae-tü area is located in an area of the lakebed
15 that has no dust control currently being implemented on
16 it, because it is a highly sensitive cultural resource
17 area. And here's a couple of pictures that I took on one
18 of my field trips down there, and you can see there an
19 artifact of an obsidian arrowhead.

20 Because this area is emitting dust currently, the
21 member entities of the PCRTF, including the tribal
22 representatives, the Great Basin Unified Air Pollution
23 Control District, the LADWP, the Native American Heritage
24 Commission, and the State Lands Commission, we all
25 recognize the need to develop a plan for this area.

1 So we've come up with the following goals, and we
2 need to stop emissions, we need to protect the resources,
3 we need to comply with laws and regulations, Los Angeles
4 Department of Water and Power would like to avoid fines,
5 and we're also seeking to implement and develop new
6 cooperative practices for dust control that are less
7 invasive than the three that are currently approved as
8 best available control measures.

9 Next slide, please

10 --o0o--

11 SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

12 Thank you.

13 So this graphic depicts in very brief form a
14 history of what has happened with this culturally
15 sensitive area and why we've arrived at this point. And I
16 did not develop this graphic. Credit for this goes to
17 Phil Kiddoo who is the Air Pollution Control Officer for
18 the Air District. And so I've adapted it from his
19 presentation to the PCRTF

20 So you can see that the site tested as emissive
21 initially. And it was proposed for gravel cover in the
22 phase 9, 10 dust control project. During the
23 environmental review, however, it was determined that this
24 area was culturally significant and a recommendation was
25 brought to the PCRTF by the tribal representatives in

1 2017. That resulted in the Air District placing the site
2 into avoidance, or new activities allowed on the site.

3 The Commission lease for the phase 9, 10 project
4 similarly does not authorize any activities in this area.
5 Because this site is still emissive, however, the group
6 acknowledged that the -- there was a need to develop an
7 alternate way to control dust that meets the goals
8 described previously. This has been in discussion since
9 2017. And for about the past 18 months or so, Commission
10 staff has been meeting with LADWP, the tribal
11 representatives, the Air District, and representatives
12 from the Native American Heritage Commission.

13 And we wanted to just sort of develop this
14 voluntary tribally-led project. Certain unresolved issues
15 have prevented us from moving forward with an
16 authorization to date. And that is what brings us to the
17 current proposal and resolution.

18 Next slide, please.

19 --o0o--

20 SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

21 So as seen here, the project requires minimal
22 equipment. A water truck would supply water to a single
23 water line laid on top of the ground to which hoses could
24 be attached. A tribal crew would then hand water the
25 existing vegetation stimulating growth, which would then

1 forward unless the Air District's governing board accepts
2 the recommendation and modifies the existing dust control
3 order to require LADWP to implement the vegetation
4 enhancement project at Sibi Patsiata-wae-tü.

5 The resolution therefore would demonstrate our
6 support for that recommendation to the governing board of
7 the Air District. They're meeting actually day after
8 tomorrow on Thursday to consider replacing the current
9 avoidance order with an order reflecting the amended
10 recommendation.

11 These actions, especially an approval of a new
12 order by the Air District are necessary precursors to
13 LADWP being able to engage with Commission staff on our
14 own authorization, or potential authorization, that would
15 facilitate the project moving forward, because as
16 explained earlier, DWP is not currently authorized to work
17 within the site.

18 Lastly, I just want to make sure to say that
19 today's resolution is consistent with your prior
20 resolution from 2017, in which we express support for the
21 nomination of Owens Lake and its landscape to the National
22 Register of Historic Places. The Sibi Patsiata-wae-tü
23 area is an important feature in that nomination and it is
24 also consistent -- and this resolution is also consistent
25 with our Tribal Consultation Policy and very importantly

1 with our 2021 to 2025 Strategic Plan, because it
2 recognizes and uplifts tribal sovereignty, it emphasizes
3 partnerships, and it protects cultural resources.

4 Thank you very much and I'm to happy answer
5 questions.

6 CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.
7 Mattox and thank you for that thorough presentation. Do
8 we have any questions or comments from commissioners?

9 Commissioner Yee.

10 COMMISSIONER YEE: Thank you, Madam Chair.

11 Just really great work. This is a very
12 challenging area that has really brought a lot of issues
13 before this Commission and I'm just really pleased to see
14 this particular resolution before us that I think will
15 begin to just open our -- or really further our work in
16 this region, so I'm happy to support it.

17 Thank you.

18 CHAIRPERSON KOUNALAKIS: Commissioner Miller.

19 ACTING COMMISSIONER MILLER: I would echo those
20 sentiments and just to the Patsiata Tribe for having such
21 patience to continue to work with us and really educate
22 us. I think it's been phenomenal. And I'm really
23 grateful for that opportunity and to Jennifer for doing
24 such a beautiful job acknowledging the huge contributions
25 in that area.

1 Thank you.

2 CHAIRPERSON KOUNALAKIS: Thank you.

3 Katie, do we have any public comments?

4 If anyone would like to comment, please raise
5 your Zoom hand now.

6 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
7 you, Madam --

8 CHAIRPERSON KOUNALAKIS: Katie, do we have any
9 speakers?

10 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
11 Apologies. Thank you, Madam Chair. At this
12 time, we have no hands raised for public comment.

13 CHAIRPERSON KOUNALAKIS: I would just like to
14 make a comment to my fellow commissioners. Thank you to
15 the staff and thank you to the Patsiata tribe for all of
16 the incredible work that has gone into this and it's just
17 extremely important that they were able to come up with
18 this strategy for moving forward.

19 So with that, do we have a motion and a second?

20 COMMISSIONER YEE: I'll move to adopt the
21 resolution, Madam Chair.

22 ACTING COMMISSIONER MILLER: I'll second, please.

23 CHAIRPERSON KOUNALAKIS: Ms. Lucchesi, would you
24 please call the roll.

25 EXECUTIVE OFFICER LUCCHESI: Certainly.

1 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. Thank you.

9 SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

10 Thank you.

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

13 CHAIRPERSON KOUNALAKIS: 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'll have
18 three minutes to do so.

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

21 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
22 you, Madam Chair. Our first speaker is Francis Coats.

23 MR. COATS: I guess I'm very popular today. On
24 the -- Jennifer said something about county-owned versus
25 State-owned land. California case law is very clear, and

1 I will send you the citations in an email note,
2 county-owned land is merely held for the benefit of the
3 state. County or locally -- local agency-owned land is
4 State-owned land. It's very clear in California law.

5 And in terms of social justice and reparations, I
6 just don't see that giving a small group of people, or one
7 family, a huge windfall and denying the public who might
8 fish, who if you go look, a lot of those people are
9 minority or disadvantage group people, taking that away
10 from them to make somebody wealthy doesn't really sound
11 like social justice to me.

12 Thank you.

13 CHAIRPERSON KOUNALAKIS: Katie, do we have any
14 other comments from the public?

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

18 CHAIRPERSON KOUNALAKIS: Okay. Thank you, Katie.
19 That concludes our second public comment period.

20 Do any of the commissioners have any comments or
21 questions?

22 COMMISSIONER YEE: (Shakes head.)

23 ACTING COMMISSIONER MILLER: (Shakes head.)

24 CHAIRPERSON KOUNALAKIS: My goodness. I think
25 this might be one of the shortest State Lands Commission

1 meetings we've had. I think it might be a testament to
2 Zoom fatigue from the public, but hopefully we will have a
3 little bit of a sense of when we're going to be able to be
4 back in person soon. But Ms. Lucchesi what is our next
5 order of business?

6 EXECUTIVE OFFICER LUCCHESI: Our next order of
7 business is closed session. I will just add that Zoom
8 fatigue and likely summer vacation and people --

9 CHAIRPERSON KOUNALAKIS: Oh, right.

10 EXECUTIVE OFFICER LUCCHESI: -- actually out
11 traveling too --

12 CHAIRPERSON KOUNALAKIS: Summer.

13 EXECUTIVE OFFICER LUCCHESI: -- which is great.

14 So -- and we are also working on planning for our
15 next -- or when we can hold an in-person meeting. And
16 hopefully it can be as early as August or maybe even
17 October. So we're actively planning for that.

18 Our -- so like I said, our next order of business
19 is closed session. We will be conducting closed session
20 by conference call. And Commissioners, please email me or
21 call my cell phone if you need the call-in information.
22 It had been sent to you previously, but it might be hard
23 to find in your -- all the emails coming through.

24 For the Commissioners and staff participating in
25 the closed session, upon adjustment, please mute your

1 microphone, turn off your webcam, and if possible go into
2 a different room. This will ensure confidentiality of our
3 discussions.

4 And we are ready to move into closed session
5 whenever you are.

6 CHAIRPERSON KOUNALAKIS: Jennifer, I'm sorry. I
7 just checked real quickly, I don't have the number handy.
8 Could someone -- could someone email that to me very
9 quickly?

10 EXECUTIVE OFFICER LUCCHESI: Certainly. We will
11 do that right now, Chair.

12 CHAIRPERSON KOUNALAKIS: Okay. Thank you.

13 EXECUTIVE OFFICER LUCCHESI: So we will just need
14 to adjourn into closed session when you're ready. I will
15 take that as an adjournment into closed session.

16 Thank you.

17 CHAIRPERSON KOUNALAKIS: My apologies. We're
18 hereby adjourned into closed session.

19 (Off record: 2:06 p.m.)

20 (Thereupon the meeting recessed
21 into closed session.)

22 (Thereupon the meeting reconvened
23 open session.)

24 (On record: 2:19 p.m.)

25 CHAIRPERSON KOUNALAKIS: Okay. I call this

1 meeting back to order. Ms. Lucchesi, is there anything to
2 report from closed session?

3 EXECUTIVE OFFICER LUCCHESI: No.

4 CHAIRPERSON KOUNALAKIS: Other than this is one
5 of the record shortest meetings that we've had, so I hope
6 everyone is enjoying their summer, and we will look
7 forward to see everyone at our next meeting. And that
8 concludes the open meeting. We are hereby adjourned.

9 EXECUTIVE OFFICER LUCCHESI: Thank you.

10 (Thereupon the California State Lands
11 Commission meeting adjourned at 2:19 p.m.)

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CERTIFICATE OF REPORTER

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

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of July, 2021.



JAMES F. PETERS, CSR
Certified Shorthand Reporter
License No. 10063