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
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.

Continuation of Rent Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:
- No items for this section

Tomales Bay Assignment Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:
- No items for this section

The following items are considered to be noncontroversial and are subject to change at any time up to the date of the meeting.

Land Management

Northern Region

01 EDMOND BENDER AND DEBORAH BENDER (APPLICANT):
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#
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
INDEX CONTINUED

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)
1. 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)

2. 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)

3. 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)

4. 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)

5. BRUCE R. PETERSON AND JOAN C. PETERSON, AS TRUSTEES OF THE PETERSON REVOCABLE INTER VIVOS TRUST DATED
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
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
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)
INDEX CONTINUED

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
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): Consideration 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.
INDEX CONTINUED

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)
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 (SUBLESEES): 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,
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 (LESEEE): 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
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 |
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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<td>in Southern California. CEQA Consideration: not a project. (A &amp; S: Federal) (Staff: S. Pemberton)</td>
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<td>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 &amp; S: Statewide) (Staff: S. Pemberton)</td>
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<td>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 &amp; S: Statewide and Federal) (Staff: S. Pemberton)</td>
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<td>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 furthermore 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)</td>
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At any time during the meeting the Commission may meet in a session of Government Code section 11126, part of the Bagley-Keene Open Meeting Act.
A. Litigation

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

1. The Commission may consider pending and possible matters that fall under Government Code section 11126, subdivision (e)(2)(A), concerning adjudicatory proceedings before a court, an administrative body exercising its adjudicatory authority, a hearing officer, or an arbitrator, to which the Commission is a party. Such matters currently include the following:

- California Coastkeeper Alliance, California Coastal Protection v. California State Lands Commission
- 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
2. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(b), under which;

a. A point has been reached where, in the opinion of the Commission, on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the Commission, or

b. Based on existing facts and circumstances, the Commission is meeting only to decide whether a closed session is authorized because of a significant exposure to litigation against the Commission.
3. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(C), where, based on existing facts and circumstances, the state body has decided to initiate or is deciding whether to initiate litigation.

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

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

Adjournment 54
Reporter's Certificate 55
CHAIRPERSON KOUNALAKIS: Good afternoon, everyone. I hereby call this meeting of the State Lands Commission to order. I am Lieutenant Governor Eleni Kounalakis. Welcome to our completely virtual State Lands Commission meeting.

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

EXECUTIVE OFFICER LUCCHESI: Certainly. State Controller Betty Yee?

COMMISSIONER YEE: Here.

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

ACTING COMMISSIONER MILLER: Here.

EXECUTIVE OFFICER LUCCHESI: And Lieutenant Governor Eleni Kounalakis?

CHAIRPERSON KOUNALAKIS: Present.

EXECUTIVE OFFICER LUCCHESI: Great. And Madam Chair, we have a quorum present. In addition, I would like to identify the members of the staff of the Commission and the Attorney General present for this virtual meeting. I am Executive Officer Jennifer Lucchesi. I am joined by Chief Counsel Seth Blackmon, meeting liaison Kim Lunetta, Assistant Executive Officer, Colin Connor, and Supervising Deputy Attorney General
Andrew Vogel. We also have our Zoom co-hosts Katie Robinson-Filipp, Mike Farinha, Phil Schlatter, and Grace Kato. And we are also joined by a number of State Lands Commission staff and experts to assist us during this meeting.

Back to you, Chair.

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

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

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

Native people have maintained a constant presence on the landscape for many thousands of years and they are essential stewardship partners, whether along the coast, along our rivers and valleys, or in our fragile deserts. We thank the California Native American communities for participating in this Commission's activities, and for their essential role in maintaining and adding to our state's rich, cultural legacy.

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

Ms. Lucchesi.

EXECUTIVE OFFICER LUCCHESI: Thank you, Chair Kounalakis.

First, everyone, please make sure you have your microphones or phones muted to avoid background noise. For members of the public, if you would like to speak either during our open public comment period or during a public comment period that is part of an agenda item, you
will need to do so in one of two ways. First, if you are
attending on the Zoom platform, please raise your hand in
Zoom. If you are new to Zoom and you joined our meeting
using the Zoom application, kick on -- click on the hand
icon at the bottom of your screen. When you click on that
hand, it will raise your hand.

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

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

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

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

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

CHAIRPERSON KOUNALAKIS: Thank you. So our next order of business is the public comment period. If anyone would like to address the Commission on any matter not on today's agenda, please raise your hand, and you will have three minutes to do so.

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

ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank you, Madam Chair. For our first public commenter, we have Sabrina Brennan.

MS. BRENNAN: Hi. Thanks for the opportunity to speak before the Commission today. I'm Sabrina Brennan
and I represent Surf Equity and Sport Equity. It's our understanding that Mavericks Beach and tidelands are managed by the California State Lands Commission. At your February 2021 meeting, I provided you with a presentation about the ongoing gender discrimination problem at Mavericks in San Mateo County.

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

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

It appears that passivity by commissioners representing both State agencies resulted in a rollback of hard won inclusion and equity advancements made by previous staff and commissioners and some current commissioners. We are concerned about the loss of momentum and equitable coastal access for women.
On the bright side, here's an update on a film project inspired by advocacy and past oversight efforts. Before the ink was dry, Variety reported that filmmaker Niki Caro and A-list celebrity and producer Charlize Theron are teaming up to develop a feature film about the fight for gender equality in big wave surfing for Netflix. Caro will direct the film and -- for a screen -- sorry. Caro will direct the film from a screenplay adapted by Becky Johnson. Caro wrote and directed *Whale Rider* and Johnson wrote a screenplay for the *Prince of Tides*.

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

In 2015, when I began fighting for equality in big-wave surfing, women athletes were excluded from competitions in California. At the time, equal pay wasn't
an option. With support from a small group of professional athletes, help from activists, friends, and State oversight from the Coastal Commission and State Lands Commission, we won the fight for inclusion and equal pay in 2018.

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

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

Thank you.

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

ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Yes.

Thank you, Madam Chair.

Our next speaker is Francis Coats.

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

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

CHAIRPERSON KOUNALAKIS: Yes.

MR. COATS: Hello.

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

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

Thank you.

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

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

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

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

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

CHAIRPERSON KOUNALAKIS: And a second?

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

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

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: I can actually call
a roll call vote.

(Laughter.)

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

EXECUTIVE OFFICER LUCCHESI: No worries.

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

EXECUTIVE OFFICER LUCCHESI: Certainly.

CHAIRPERSON LUCCHESI: And we'll lower our hands.

EXECUTIVE OFFICER LUCCHESI: Commissioner Yee?

COMMISSIONER YEE: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Aye.

EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

CHAIRPERSON KOUNALAKIS: Aye.

EXECUTIVE OFFICER LUCCHESI: The motion passes unanimously.

CHAIRPERSON KOUNALAKIS: Thank you.

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

EXECUTIVE OFFICER LUCCHESI: Of course. I have a couple of things I'd like to update the Commissioners on. First is the 2021-2022 State budget that was recently passed by the Legislature yesterday. That budget includes
several items specific to the Commission. The first is a one-time $2 million appropriation from the Environmental License Plate Fund for operations, maintenance, and dredging of the Bolsa Chica Wetlands.

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

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

The budget also (inaudible) deficit in the oil spill prevention and administration fund by increasing the per barrel fee from 6.5 cents to 8.5 cents with annual CPI adjustments and authorizes the administrator to adjust fee levels to maintain an adequate fund balance. Trailer bill language associated with the fee increase expands the definition of regulated oil to include renewable fuels.

The Oil Spill Prevention and Administration Fund revenue supports the Commission's Mineral Resources Management and
Marine Environmental Protection Division's oil spill prevention work.

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

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

Staff is in the process of notifying program participants about the program expiration and the due date for payment of deferred rent. Next, I'd like to highlight recent partnering with a local California Native American tribe. In February 2021, the Commission's tribal liaison was notified that Native American remains had been discovered in the bed of the Mokelumne River in the San Joaquin County near the community of Woodbridge.
The Native American Heritage Commission identified the Wilton Rancheria as the most likely descendent. And the Wilton Rancheria representative requested assistance from the Commission to find a suitable location where the remains had been found for the tribe to rebury the remain.

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

And finally, I'd like to update the Commission on our two offshore oil and gas decommissioning projects. The first one is Rincon. All island and onshore wells have been abandoned. Offshore and onshore tank batteries, and production vessels, and equipment have been removed as have the oil and gas pipelines across the causeway. We are officially transitioning the onshore and island
facilities to caretaker status. This is a significant milestone that we've reached.

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

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

The Platform Holly and Piers 421 decommissioning project remain -- excuse me. The Platform Holly project remains suspended due to COVID-19 restrictions and space limitations on the platform. Staff continues to maintain and monitor the platform and onshore facilities to ensure
public health and safety. Staff, ExxonMobil, and their subcontractors are preparing to resume plug and abandonment activities in late summer or early fall.

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

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

Thank you.

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

But relative to the Rescue Act in particular, some of the funds that are available to be used for economic health, and through this legislative process, and
your engagement, I will actually just give a shout-out to some of the folks in my office who are working very closely with the ports. And it's just extremely important.

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

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

COMMISSIONER YEE: Thank you, Madam Chair. Just echoing your comments and the sustained leadership by the Commission staff under Ms. Lucchesi. It is -- really, I think just gives me confidence to be in a position of where the recovery will involve, you know, just the State Lands Commission staff, and to your leadership on the port issue especially, to be able to avail ourselves of the
Federal funds that came to California is going to be very, very helpful and really looking forward to being able to see our ports just back in operation as California continues to recover.

Thank you.

CHAIRPERSON KOUNALAKIS: Commissioner Miller, any comments or questions?

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

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

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

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

Commissioner Yee, Commissioner Miller, are there any items you would like removed from the consent
calendar?

COMMISSIONER YEE: I don't have any.

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

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

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

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

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

Katie, has anyone raise their hand?

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

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

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

ACTING COMMISSIONER MILLER: Second, please.

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

EXECUTIVE OFFICER LUCCHESI: Certainly.

Commissioner Yee?

COMMISSIONER YEE: Aye.

EXECUTIVE OFFICER LUCCHESI: Commission Miller?

ACTING COMMISSIONER MILLER: Aye.

EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

CHAIRPERSON KOUNALAKIS: Aye.

EXECUTIVE OFFICER LUCCHESI: The motion passes unanimously.

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

May we have the presentation?

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.

Thank you, Madam Chair and Commissioners. This item is an update about State legislation. Staff is not recommending any action associated with this item at this time. The staff report summarizes that array of natural resources and public land management legislation that staff is monitoring this year. A few of the significant items
involve offshore wind energy, plastic pollution, climate change, and sea level rise. I won't go into detail on these bills, but I'm happy to answer any questions.

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

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

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

CHAIRPERSON KOUNALAKIS: Thank you, Ms. Pemberton.

Commissioner Yee, do you have any comments or questions?

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

CHAIRPERSON KOUNALAKIS: Thank you.

Commissioner Miller, do you have any comments or questions?

ACTING COMMISSIONER MILLER: (Shakes head.)

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

Katie, anyone with their hand raised?

ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank you, Madam Chair. At the -- oh, we have one speaker who would like to make a comment. Francis Coats.
MR. COATS: I didn't hear the bill number for the law was going -- proposed to make it easier to sell school lands. Could you give me that bill number again?

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

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

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

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

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

Thank you.

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

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

CHAIRPERSON KOUNALAKIS: Okay. Ms. Pemberton, thank you for the presentation. We will move to the next item. Item 50 is to consider supporting the West Coast
Ocean Protection Act, the California Clean Coast Act and the American Coasts and Oceans Protection Act legislation pertaining to banning offshore drilling.

May we have the presentation, please.

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.

Thank you, Madam Chair and commissioners. This item recommends that the Commission support three federal bills that would ban new offshore oil and gas leasing in federal waters. The first bill, the West Coast Ocean Protection Act, is by Senator Feinstein. The second is the California Clean Coast Act by Representative Carbajal. These bills would permanently ban new offshore oil and gas leasing on the outer continental shelf off the coast of California, Oregon, and Washington.

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

And for that reason, we recommend that the
Commission adopt a support position on these three bills.

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

Commissioner Yee, do you have any comments or questions?

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

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

COMMISSIONER YEE: Okay.

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

COMMISSIONER YEE: Okay.

CHAIRPERSON KOUNALAKIS: Commissioner Miller, any comments or questions?

ACTING COMMISSIONER MILLER: No. I agree with
the great word, mad -- work, Madam Chair, but I'm going to actually abstain from this and -- just because we don't like to presuppose any action that the Governor may take, but obviously without discrimination and agree that the work is fantastic.

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

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

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

EXECUTIVE OFFICER LUCCHESI: Yes.

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

EXECUTIVE OFFICER LUCCHESI: Yes.

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

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

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

EXECUTIVE OFFICER LUCCHESI: Commissioner Yee?

COMMISSIONER YEE: Aye.
EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Abstaining please.

EXECUTIVE OFFICER LUCCHESI: Um-hmm.

And Chair Kounalakis?

CHAIRPERSON KOUNALAKIS: Aye.

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

CHAIRPERSON KOUNALAKIS: Thank you, Ms. Lucchesi.

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

May we have the presentation, please.

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.

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

COMMISSIONER YEE: Okay.

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

COMMISSIONER YEE: That's all right. No, I thought it was our own congressional member, so that's great. Thank you.
You're welcome. Item 51 recommends that the Commission support SB 796 by Senator Bradford. This is legislation that would authorize LA County to sell, transfer, or encumber Bruce's Beach, which is a portion of land in Manhattan Beach, under terms and conditions that the board of supervisors determines are in the best interest of the county and the public.

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

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

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

Despite this harassment and intimidation, the Bruce family persevered and continued to grow their
business into the early 1920s. In response, White landowners discovered a legal mechanism to shut down the Bruce's Resort. The Park and Playground Act of 1909 allowed condemnation procedures for recreational civic use.

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

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

But to make that happen, the State of California has to pass a bill to change the deed restrictions on the property. So SB 796 would allow LA County to deed Bruce's Beach back to the Bruce family. The bill recently passed the Senate unanimously is and pending in the Assembly
Natural Resources and Water Committee. The bill is about reparations. And what underpines -- underpins the bill are concepts that are imbued in our new strategic plan, in our JEDI teamwork and what flows from our two years participating in the Government Alliance on Race and Equity.

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

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

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

And I'll close with that and I'm happy to answer
any questions.

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

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

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

Commissioner Yee, do you have any comments or questions?

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

CHAIRPERSON KOUNALAKIS: Ms. Miller.

ACTING COMMISSIONER MILLER: Agree completely.

And again, we'll be abstaining just for -- so the Governor can take action later, but appreciate all the work that's been done.

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

COMMISSIONER YEE: Yes, I second.

CHAIRPERSON KOUNALAKIS: Thank you.

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

CHAIRPERSON KOUNALAKIS: Oh, my apologies. My apologies.

First, Katie, do we have anyone who would like to speak on this issue. If members of the public would like
to make a comment, please raise your Zoom hand now.

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

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

Thank you.

CHAIRPERSON KOUNALAKIS: Ms. Lucchesi.

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

CHAIRPERSON KOUNALAKIS: Thank you, Ms. Lucchesi.
Katie, is there anyone else who would like to speak on this item?

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

CHAIRPERSON KOUNALAKIS: Ms. Brennan.

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

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

Thank you.

CHAIRPERSON KOUNALAKIS: Thank you.

Katie, do we have any other speakers?

ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank you, Madam Chair. At this time, we have no other hands
Chairperson Kounalakis: Okay. We have a motion and a second. Ms. Lucchesi, will you please call the roll.

Executive Officer Lucchesi: Certainly. Commissioner Yee?

Commissioner Yee: Aye.

Executive Officer Lucchesi: Commissioner Miller?

Acting Commissioner Miller: Abstain.

Executive Officer Lucchesi: And Chair Kounalakis?

Chairperson Kounalakis: Aye.

Executive Officer Lucchesi: The motion passes with two votes and one abstention.

Chairperson Kounalakis: Thank you.

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

External Affairs Division Chief Pemberton: Yes.

Thank you, Madam Chair and Commissioners. This item recommends that the Commission authorize staff to engage in discussions with Congress about amending the federal Vessel Incidental Discharge Act to improve states' access
to vessel discharge data and to address impacts to the State's Marine Invasive Species Control Fund.

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

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

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

Our view is that we disagree and we believe that
the performance data doesn't constitute a trade secret or proprietary information. While the design and technical features of treatment systems are proprietary, disclosure of the concentration of organisms and pollutants that are discharged during type approval tests, which is the data we seek, is not a trade secret.

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

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

The second component of this item relates to the State's Marine Invasive Species Control Fund, which is the sole funding source for the Marine Invasive Species Program that the Commission administers. It's a hundred percent supported by fees that are assessed on arriving vessels. VIDA caps the state fees that vessels must pay when they arrive at ports to support the ballast water
management practices and programs. The fee cap under VIDA is $1,000 per qualifying voyage, which is the same as California's current fee. So the Commission will be restricted from raising the fee to address higher costs.

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

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

Thank you and that concludes my presentation.

CHAIRPERSON KOUNALAKIS: Thank you very much, Ms. Pemberton. I actually have a question, not on this second part, but on the first part about the data collection.
How long has this conversation been going on? Have we known that there is data that exists that we haven't been able to access and has this been an ongoing issue? What is it that's new about this conversation that requires permission to speak with our federal partners?

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

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

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

I do want to just address your initial question about receiving authorization for us to speak with our federal partners. That's something, because it is a significant step to speak with our congressional representatives to pursue federal legislation, we did want to get that permission from the Commission before we
meaningfully engaged on both of these items. So that's a function of just the way staff interacts with the State Lands Commission and the significance of engaging with our federal partners.

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

CHAIRPERSON KOUNALAKIS: Hello, Chris.

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

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

So our position is for us to be able to make that petition to strengthen the standards, those data need to be publicly available to be part of the public docket. And so that's -- we've been trying for several years now.
CHAIRPERSON KOUNALAKIS: Thank you.
Commissioner Yee, do you have any questions or comments?

COMMISSIONER YEE: (Shakes head.)

CHAIRPERSON KOUNALAKIS: Commissioner Miller?

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

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

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

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

ACTING COMMISSIONER MILLER: So moved.

COMMISSIONER YEE: I'll second.

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

EXECUTIVE OFFICER LUCCHESI: Certainly.
Commissioner Yee?

COMMISSIONER YEE: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?
ACTING COMMISSIONER MILLER: Aye.

COMMISSIONER YEE: Chair Kounalakis?

CHAIRPERSON KOUNALAKIS: Aye.

EXECUTIVE OFFICER LUCCHESI: The motion passes unanimously.

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

Item 53 is to 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 project at Owens Lake.

May we please have the presentation.

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

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

(Thereupon a slide presentation.)

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

Yeah. As Jennifer said, good afternoon, Chair and Commissioners. I'm Jennifer Mattox. And today, I am presenting on this item as the tribal liaison for the Commission. We are asking you to consider or adopting a...
resolution that would support a recommendation by Patsiata Cultural Resources Task Force tribal representatives, and I'll say PCRTF for the rest of the presentation.

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

Next slide, please.

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SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

Awesome.

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

Because this area is emitting dust currently, the member entities of the PCRTF, including the tribal representatives, the Great Basin Unified Air Pollution Control District, the LADWP, the Native American Heritage Commission, and the State Lands Commission, we all recognize the need to develop a plan for this area.
So we've come up with the following goals, and we need to stop emissions, we need to protect the resources, we need to comply with laws and regulations, Los Angeles Department of Water and Power would like to avoid fines, and we're also seeking to implement and develop new cooperative practices for dust control that are less invasive than the three that are currently approved as best available control measures.

Next slide, please

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SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

Thank you.

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

So you can see that the site tested as emissive initially. And it was proposed for gravel cover in the phase 9, 10 dust control project. During the environmental review, however, it was determined that this area was culturally significant and a recommendation was brought to the PCRTF by the tribal representatives in
2017. That resulted in the Air District placing the site into avoidance, or new activities allowed on the site.

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

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

Next slide, please.

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SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

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

Understanding the challenge for implementing the project on a voluntarily basis, the tribal representatives amended their 2017 recommendation from avoidance to a recommendation that the vegetation enhancement project be implemented, because this would meet the goals of controlling dust, preserving cultural resources, and developing new cooperative practices. The agency members of the PCRTF provisionally approved this recommendation as well on June 9th at our regular quarterly meeting.

The Timbisha Shoshone Tribal Council has already officially approved the recommendation. And the Fort Independence Paiute Tribe, Lone Pine Paiute Shoshone Reservation, Bishop Paiute Tribe, and Big Pine Paiute Tribe are scheduling consideration for official approval at their upcoming council meetings.

Next slide, please.

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SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

And this brings us to the resolution we ask you to approve today. The resolution accomplishes several important things. First, it would elevate the June 9th staff level provisional approval for the amended recommendation. Second, Commission staff understands that the PCRTF's recently recommended project cannot move
forward unless the Air District's governing board accepts
the recommendation and modifies the existing dust control
order to require LADWP to implement the vegetation
enhancement project at Sibi Patsiata-wae-tü.

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

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

Lastly, I just want to make sure to say that
today's resolution is consistent with your prior
resolution from 2017, in which we express support for the
nomination of Owens Lake and its landscape to the National
Register of Historic Places. The Sibi Patsiata-wae-tü
area is an important feature in that nomination and it is
also consistent -- and this resolution is also consistent
with our Tribal Consultation Policy and very importantly
with our 2021 to 2025 Strategic Plan, because it recognizes and uplifts tribal sovereignty, it emphasizes partnerships, and it protects cultural resources.

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

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

COMMISSIONER YEE: Thank you, Madam Chair.

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

Thank you.

CHAIRPERSON KOUNALAKIS: Commissioner Miller.

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

CHAIRPERSON KOUNALAKIS: Thank you.

Katie, do we have any public comments?
If anyone would like to comment, please raise your Zoom hand now.

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

CHAIRPERSON KOUNALAKIS: Katie, do we have any speakers?

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

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

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

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

ACTING COMMISSIONER MILLER: I'll second, please.

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

EXECUTIVE OFFICER LUCCHESI: Certainly.
Commissioner Yee?

COMMISSIONER YEE: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Aye.

EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

CHAIRPERSON KOUNALAKIS: Aye.

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

SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

Thank you.

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

CHAIRPERSON KOUNALAKIS: Our next order of business is our second public comment period.

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

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

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

MR. COATS: I guess I'm very popular today. On the -- Jennifer said something about county-owned versus State-owned land. California case law is very clear, and
I will send you the citations in an email note, county-owned land is merely held for the benefit of the state. County or locally -- local agency-owned land is State-owned land. It's very clear in California law.

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

Thank you.

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

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

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

Do any of the commissioners have any comments or questions?

COMMISSIONER YEE: (Shakes head.)

ACTING COMMISSIONER MILLER: (Shakes head.)

CHAIRPERSON KOUNALAKIS: My goodness. I think this might be one of the shortest State Lands Commission
meetings we've had. I think it might be a testament to Zoom fatigue from the public, but hopefully we will have a little bit of a sense of when we're going to be able to be back in person soon. But Ms. Lucchesi what is our next order of business?

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

CHAIRPERSON KOUNALAKIS: Oh, right.

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

CHAIRPERSON KOUNALAKIS: Summer.

EXECUTIVE OFFICER LUCCHESI: -- which is great.

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

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

For the Commissioners and staff participating in the closed session, upon adjustment, please mute your
microphone, turn off your webcam, and if possible go into a different room. This will ensure confidentiality of our discussions.

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

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

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

CHAIRPERSON KOUNALAKIS: Okay. Thank you.

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

Thank you.

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

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

(Thereupon the meeting recessed into closed session.)

(Thereupon the meeting reconvened open session.)

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

CHAIRPERSON KOUNALAKIS: Okay. I call this
meeting back to order. Ms. Lucchesi, is there anything to report from closed session?

    EXECUTIVE OFFICER LUCCHESI: No.

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

    EXECUTIVE OFFICER LUCCHESI: Thank you.

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

[Signature]

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