

VIDEOCONFERENCE MEETING  
STATE OF CALIFORNIA  
STATE LANDS COMMISSION

ZOOM PLATFORM

FRIDAY, FEBRUARY 25, 2022  
1:00 P.M.

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

APPEARANCES

COMMISSION MEMBERS:

Betty T. Yee, State Controller, Chairperson

Eleni Kounalakis, Lieutenant Governor, also represented by  
Matthew Dumlao, PhD

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

Vicki Caldwell, Public Land Manager, Land Management  
Division

Ken Foster, Public Land Manager, Land Management Division

Jennifer Mattox, Science Policy Advisor & Tribal Liaison

Sheri Pemberton, Chief, External Affairs Division

Katie Robinson-Filipp, Environmental Scientist

ATTORNEY GENERAL:

Andrew Contreiras, Deputy Attorney General

ALSO PRESENT:

Alexandra Austin, Save Porter Ranch

Lynn Bolton, Range of Light Group

Anna Christensen, Sierra Club

APPEARANCES CONTINUED

ALSO PRESENT:

Susanne Cumming, Sierra Club, Defend Ballona Wetlands

Jeffrey Finn

Herb Glazier, Chairman, Bridgeport Indian Colony

Margot Griswold, PhD, Los Angeles Audubon Society

Marcia Hanscom, Sierra Club

Alison Harvey, consultant to Bridgeport Colony

Jeff Hunewill, Hunewill Land and Livestock Company

Susan Jordan, California Coastal Protection Network

Ross Levinson

Shaun Martinez, Teamsters

Patricia McPherson, Grassroots Coalition

Alexandra Nagy, Food and Water Watch, Food and Water  
Action

Heidi Petty, Watershed Program Manager, Contra Costa  
Resource Conservation District

Andrew Sullivan, San Francisco Board Sailing Association

Roy van de Hoek

Jane Velez-Mitchell

Laura Walsh, Surfrider Foundation

Amy Wolfrum, Monterey Bay Aquarium

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I Open Session	1
II Public Comment	5
<p>Public comments will be heard at 1:00 pm for items not on the agenda, for no more than 30 minutes. At the discretion of the Chair, speakers will be given up to 3 minutes. For those unable to attend the early public comment period, there may be additional comment time available later in the day. Note: Comments made during the general public comment period regarding matters pending before the Commission do not become part of the official record for those matters.</p>	
III Confirmation of Minutes for the December 8, 2021 meeting	26
IV Executive Officer's Report	27
<p>Continuation of Rent Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:</p> <ul style="list-style-type: none"><li>- Pacific Gas and Electric Company (Lessee): Continuation of rent at \$5,979 per year for a General Lease - Right of Way Use located on State school lands, San Bernardino County. (PRC 1531.2)</li></ul> <p>Tomales Bay Assignment Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:</p> <ul style="list-style-type: none"><li>- No items for this section</li></ul>	
V Consent Calendar 01-48	53
<p>The following items are considered to be noncontroversial and are subject to change at any time up to the date of the meeting.</p> <p>Land Management</p> <p>Northern Region</p>	

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- 01   TIMOTHY MINTON ANDERSON AND MITZI JOAN MARVEL, TRUSTEES OF THE ANDERSON/MARVEL TRUST AGREEMENT DATED SEPTEMBER 25TH 2006 (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 323 Sierra Drive, near Rubicon Bay, El Dorado County; for two mooring buoys previously authorized by the Commission, and one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 5322; A2927; RA# 2020122) (A 5; S 1) (Staff: L. Anderson)
- 02   DONALD E. BISCHOFF AND JUNE E. BISCHOFF, TRUSTEES OF THE DONALD E. BISCHOFF AND JUNE E. BISCHOFF REVOCABLE INTER VIVOS TRUST, UNDER TRUST INSTRUMENT DATED SEPTEMBER 30, 1982 AS AMENDED AND RESTATED MAY 24, 2010 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1510 North Lake Boulevard, Tahoe City, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8318; A3044; RA# 2020383) (A 1; S 1) (Staff: L. Anderson)
- 03   WILLIAM E. BITTNER AND NANCY G. BITTNER, AS TRUSTORS AND TRUSTEES OF THE BITTNER FAMILY REVOCABLE TRUST OF 1990 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3675 Idlewild Way, near Homewood, Placer County; for an existing pier and one mooring buoy. CEQA Consideration: categorical exemption. (Lease 3850; A3223; RA# 2021029) (A 1; S 1) (Staff: J. Holt)
- 04   CITY OF PETALUMA (APPLICANT): Consider acceptance of a lease quitclaim deed and application of a General Lease - Public Agency Use, of sovereign land located in the Petaluma River, adjacent to Assessor's Parcel Numbers 006-284-019, 006-284-037 thru 006-284-043, Petaluma, Sonoma County; for an existing retaining wall and roadway previously authorized by the Commission; and proposed construction of a pedestrian sidewalk. CEQA Consideration: Mitigated Negative Declaration, adopted by the City of Petaluma, State Clearinghouse Number 2017082027, and adoption of a

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- Mitigation Monitoring Program. (Lease 8632; A2933; RA# 2020461) (A 10; S 3) (Staff: M.J. Columbus)
- 05 MICHAEL M. GHILOTTI AND LISA GHILOTTI, TRUSTEES OF THE MICHAEL M. GHILOTTI AND LISA GHILOTTI 2006 TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7762 North Lake Boulevard, near Kings Beach, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8962; A3359; RA# 2021132) (A 1; S 1) (Staff: S. Avila)
- 06 SAAR GUR AND PATAMA GUR, TRUSTEES OF THE GUR FAMILY TRUST UAD APRIL 10, 2012 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3360 Edgewater Drive, Tahoe City, Placer County; for two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8973; A2947; RA# 2020301) (A 1; S 1) (Staff: L. Anderson)
- 07 CHARLOTTE J. HIMSL AKA CHARLOTTE HIMSL AKA CHARLOTTE L. HIMSL, SUCCESSOR TRUSTEE OF REYNOLD C. JOHNSON AND MABEL P. JOHNSON TRUST A U/T/A MAY 9, 1975, AS AMENDED (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5600 West Lake Boulevard, near Homewood, Placer County; for an existing pier, boathouse, and two mooring buoys previously authorized by the Commission and an existing boat lift not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 8992; A3175; RA# 2021088) (A 1; S 1) (Staff: J. Holt)
- 08 JENNIFER BETH IDEMA AND MATTHEW BLAINE IDEMA (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 208 Pine Street, Tahoma, Placer County; for a pier, boat lift, and two mooring buoys previously authorized by the Commission, and a marine rail not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 6368; A3219; RA# 2021021) (A 1; S 1) (Staff: L. Anderson)

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- 09 WAYNE D. JORDAN AND M. QUINN DELANEY, AS TRUSTEES, OR THE SUCCESSOR TRUSTEE OR TRUSTEES, U/A/D APRIL 29, 1996, AS AMENDED, CREATING THE JORDAN/DELANEY FAMILY TRUST (LESSEE): Consider amendment of Lease Number PRC 3598, a General Lease - Recreational Use, of sovereign land in Lake Tahoe, adjacent to 7127 West Lake Boulevard, near Tahoma, El Dorado County; for an existing pier, water intake line, and two mooring buoys; construction of a pier extension, relocation of an existing boat lift, installation of an adjustable catwalk, and removal of an existing catwalk. CEQA Consideration: categorical exemptions. (PRC 3598; RA# 2019275) (A 5; S 1) (Staff: A. Franzoia)
- 10 MARTIN H. LOEFFLER AND EDWARD C. WETMORE, TRUSTEES OF THE SIDSEL S. LOEFFLER QUALIFIED PERSONAL RESIDENCE TRUST DATED NOVEMBER 6, 2012 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1490 North Lake Boulevard, near Tahoe City, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8469; A3177; RA# 2021098) (A 1; S 1) (Staff: J. Holt)
- 11 LOS ESTEROS ASSOCIATES, LIMITED PARTNERSHIP AGREEMENT, KNOWN AS LOS ESTEROS ASSOCIATES, L.P. (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5090 West Lake Boulevard, Homewood, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8250; A3208; RA# 2021013) (A 1; S 1) (Staff: J. Holt)
- 12 JAMES MORRISON (LESSEE/APPLICANT): Consider acceptance of a lease quitclaim deed for Lease Number PRC 8380, a General Lease - Recreational Use, and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 160 Sierra Terrace Road, near Tahoe City, Placer County; for one existing mooring buoy; construction of a boat lift, and removal of one existing mooring buoy. CEQA Consideration: categorical exemptions. (Lease 8380; A2805; RA# 2020065) (A 1; S 1) (Staff: J. Toy)
- 13 GARY ROBERT NAGLE AND VIRGINIA LAURINE NAGLE, AS TRUSTEES OF THE NAGLE LIVING TRUST DATED OCTOBER 18,

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- 1996 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1160 West Lake Boulevard, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8933; A3259; RA# 2021055) (A 1; S 1) (Staff: L. Anderson)
- 14 PACIFIC GAS AND ELECTRIC COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in the Yuba River, adjacent to Assessor's Parcel Number 010-320-003, near Marysville, Yuba County; for relocation, use, and maintenance of an existing overhead electric transmission line and a distribution line. CEQA Consideration: Supplemental Mitigated Negative Declaration, adopted by the Central Valley Flood Protection Board, State Clearinghouse Number 2010024001, and adoption of a Mitigation Monitoring Program. (A3143; RA# 2020460) (A 3; S 4) (Staff: M. Schroeder)
- 15 NORMA MILDRED PARSON, CO-TRUSTEE UNDER REVOCABLE TRUST DATED AUGUST 21, 1986 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3560 West Lake Boulevard, near Tahoe City, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 5631; A3203; RA# 2021024) (A 1; S 1) (Staff: S. Avila)
- 16 IRENE PESTANA AND MICHAEL J. KELLY, JR., CO-TRUSTEES OF THE SURVIVOR'S TRUST ESTABLISHED UNDER THE PESTANA 1986 FAMILY TRUST U/D/T MAY 15, 1986, AS AMENDED (LESSEE/APPLICANT): Consider termination of Lease Number PRC 7107, a General Lease - Recreational Use; and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5570, 5588, and 5590 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, two boathouses, two boat lifts, and two sundecks with stairs, previously authorized by the Commission; and two existing mooring buoys, not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 7107; A3276; RA# 2020090) (A 1; S 1) (Staff: S. Avila)



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- 17 ALICE RUSSELL-SHAPIRO, AS TRUSTEE, OR THE SUCCESSOR TRUSTEE OR TRUSTEES, OF THE ALICE RUSSELL-SHAPIRO QUALIFIED PERSONAL RESIDENCE TRUST OF 1996, U/A/D MAY 13, 1996 (LESSEE); MADELEINE NINA RUSSELL-SHAPIRO AND WILLIAM HAAS RUSSELL-SHAPIRO (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 3695 Idlewild Way, near Tahoe City, Placer County; for an existing pier, boat lift, two mooring buoys, and freshwater intake pipeline. CEQA Consideration: categorical exemption. (Lease 4232; A3041; RA# 2020422) (A 1; S 1) (Staff: L. Anderson)
- 18 DOUGLAS M. SHERMAN AND JANET B. SHERMAN, TRUSTEES OF THE SHERMAN FAMILY TRUST OF 1995 U.D.T. DATED MARCH 1, 1995; AND TEN MILE CAST LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7153 and 7155 State Highway 89, near Tahoma, El Dorado County; for the removal and reconstruction of an existing pier with an extension; placement, use, and maintenance of one mooring buoy; continued use and maintenance of one existing mooring buoy; and removal of a marine railway. CEQA Consideration: categorical exemptions. (Lease 4264; A2804; RA# 2020064) (A 5; S 1) (Staff: J. Toy)
- 19 SIERRA BOAT COMPANY, INC., A CALIFORNIA CORPORATION (LESSEE/ASSIGNOR/SUBLESSEE) SIERRA BOAT PROPERTIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (ASSIGNEE/SUBLESSOR); AND FIRST REPUBLIC BANK (SECURED-PARTY LENDER): Consider rescission of prior Commission action, and new authorization for assignment of Lease, approval of a sublease endorsement, and agreement and consent to encumbrance of Lease Number PRC 5680, a General Lease - Commercial Use, of sovereign land located in Lake Tahoe, adjacent to 5146 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing commercial pier, breakwater, fueling facility, and 15 mooring buoys. CEQA Consideration: not projects. (Lease 5680; A3198; RA# 2021008) (A 1; S 1) (Staff: M.J. Columbus)

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- 20 TEAM JEM TAHOE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4250 West Lake Boulevard, near Homewood, Placer County; for an existing pier previously authorized by the Commission; and an existing freshwater intake pipeline and mooring buoy, not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 5610; A3406; RA# 2021152) (A 1; S 1) (Staff: S. Avila)
- 21 JAMES R. TREMBATH AND JOANNE OLVERA TREMBATH; MARY M. CRAVALHO, TRUSTEE OF THE MARY M. CRAVALHO SURVIVOR'S TRUST UNDER THE CRAVALHO FAMILY LIVING TRUST, DATED AUGUST 5, 1993; WILLIAM B. SEITH AND MARY S. SEITH; MONTE LEE OSBORN AND MARY KAY OSBORN, TRUSTEES OF THE 1993 OSBORN FAMILY TRUST DATED 7/22/93; MONTE L. OSBORN AND MARY KAY OSBORN, TRUSTEE(S), OR SUCCESSOR TRUSTEE(S) OF THE 1993 OSBORN FAMILY TRUST, AS AMENDED AND RESTATED 8/23/2007; WILLIAM M. PETERSON, OR HIS SUCCESSORS, AS TRUSTEE OF THE WILLIAM M. PETERSON QUALIFIED PERSONAL RESIDENCE TRUST, UNDER DECLARATION DATED SEPTEMBER 10, 2009; AND NANCY E. PETERSON, OR HER SUCCESSORS, AS TRUSTEE OF THE NANCY E. PETERSON QUALIFIED PERSONAL RESIDENCE TRUST, UNDER DECLARATION DATED SEPTEMBER 10, 2009 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5768 and 5784 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing joint-use pier and four mooring buoys. CEQA Consideration: categorical exemption. (Lease 5784; A3107; RA# 2020423) (A 1; S 1) (Staff: S. Avila)

Bay/Delta Region

- 22 JEAN A. BAKER AND MARCIEL M. BAKER, AS TRUSTEES OF THE 2002 JEAN A. BAKER AND MARCIEL M. BAKER REVOCABLE TRUST, DATED DECEMBER 3, 2002 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 6521 Garden Highway, near Sacramento, Sacramento County; for a boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 5842; A3239; RA# 2021043) (A 7; S 6) (Staff: L. Anderson)

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- 23    LAWRENCE JAMES BASS AND CAROLYN ANN BASS, TRUSTEES OF THE 1985 BASS TRUST DATED APRIL 18, 1985 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the American River, adjacent to 1622 McClaren Drive, Carmichael, Sacramento County; for reconstruction of existing bank protection; and use and maintenance of an existing boat launch ramp not previously authorized by the Commission. CEQA Consideration: categorical exemptions. (A3129; RA# 2020458) (A 7; S 6) (Staff: S. Avila)
- 24    PHILIP C. BEROLZHEIMER AND ANNE C. BEROLZHEIMER, CO-TRUSTEES OF THE PHILIP C. BEROLZHEIMER AND ANNE C. BEROLZHEIMER REVOCABLE FAMILY TRUST DATED SEPTEMBER 18, 2007 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the San Joaquin River at Atherton Cove, adjacent to 3548 Country Club Boulevard, near Stockton, San Joaquin County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 8995; A3101; RA# 2020450) (A 13; S 5) (Staff: M.J. Columbus)
- 25    CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider approval of the 2022 Category 1 San Francisco Bay Area Benchmark rental rate for sovereign land in various waterways in Napa, Solano, Contra Costa, Santa Clara, San Mateo, San Francisco, Marin, and Sonoma Counties. CEQA Consideration: not a project. (W27253) (A 4, 10, 14, 15, 17, 18, 19, 20, 22, 24, 25; S 2, 3, 7, 9, 10, 11, 13) (Staff: K. Foster)
- 26    RONALD CHAMBERS JR. AND CYNTHIA CHAMBERS (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 previously authorized by the Commission and a boat lift and two personal watercraft ramps not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 8936; A3344; RA# 2021118) (A 7; S 6) (Staff: J. Toy)

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- 27 CITY OF LODI (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located along the south bank of the Mokelumne River within Lodi Lake Park, adjacent to Assessor's Parcel Number 039-100-210, near Lodi, San Joaquin County; for the Lodi Lake Shoreline Restoration Project. CEQA Consideration: Mitigated Negative Declaration, adopted by the City of Lodi, State Clearinghouse Number 2020049060, and adoption of a Mitigation Monitoring Program. (A2649; RA# 2019323) (A 9; S 5) (Staff: G. Asimakopoulos)
- 28 CITY OF NOVATO (LESSEE): Consider revision of rent to Lease Number PRC 7220, a General Lease - Public Agency Use, of sovereign land in Novato Creek, Novato, Marin County; for a bridge, utilities, and drainage facilities. CEQA Consideration: not a project. (PRC 7220) (A 10; S 2) (Staff: V. Caldwell)
- 29 CITY OF SAN LEANDRO (APPLICANT): Consider an application for a General Lease - Public Agency Use, of sovereign land located adjacent to the San Francisco Bay, near San Leandro, Alameda County; for restored marshlands habitat, appurtenant facilities, and a pedestrian and emergency vehicle access bridge as a section of the San Francisco Bay Trail previously authorized by the Commission; and a pedestrian bridge not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 7297, 7744; RA# 22618) (A 18; S 9) (Staff: M. Schroeder)
- 30 BRUCE C. CLINE AND JULIE D. CLINE, CO-TRUSTEES OF THE CLINE FAMILY TRUST DATED APRIL 11, 2012 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 17360 Grand Island Road, near Walnut Grove, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 4765; A3392; RA# 2021140) (A 11; S 3) (Staff: J. Toy)
- 31 EW-PG AIRPORT OWNER, LLC (LESSEE); PENINSULA OWNER LLC (APPLICANT): Consider termination of Lease Number PRC 6127 and application for a General Lease - Commercial Use, of filled tidelands of San Francisco Bay,

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- adjacent to the Sanchez Channel and Burlingame Lagoon, Burlingame, San Mateo County; for an existing landscaped segment of the San Francisco Bay Trail and commercial parking. CEQA Consideration: categorical exemption. (Lease 6127; A2659; RA# 2019333) (A 22; S 13) (Staff: A. Franzoia)
- 32 MARCINE FRIEDMAN AND MARK FRIEDMAN, CO-TRUSTEES OF THE MARCINE FRIEDMAN SURVIVOR'S TRUST ESTABLISHED UNDER THE MORTON L. FRIEDMAN AND MARCINE FRIEDMAN FAMILY TRUST (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign land located in the American River, adjacent to 1620 McClaren Drive, Carmichael, Sacramento County; for reconstruction of existing bank protection not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2957; RA# 2020330) (A 7; S 6) (Staff: S. Avila)
- 33 HANSON MARINE OPERATIONS, INC. (LESSEE); MARTIN MARIETTA MATERIALS, INC. AND HANSON MARINE OPERATIONS, LLC (APPLICANT); HANSON MARINE OPERATIONS, INC. (ASSIGNOR); HANSON MARINE OPERATIONS, LLC (ASSIGNEE): Consent to Transfer of Parent Corporation of Lessee and assignment of four General Leases - Mineral Extraction, of sovereign land in central San Francisco Bay, Marin and San Francisco Counties; for commercial sand and gravel extraction. CEQA Consideration: not a project. (PRC 709, PRC 2036, PRC 7779, and PRC 7780) (RA# 2021147) (A 10, 17; 19 S 2, 11) (Staff: A. Franzoia)
- 34 SIERRA HEALTH FOUNDATION (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 1321 Garden Highway, near Sacramento, Sacramento County; for existing bank protection. CEQA Consideration: categorical exemption. (Lease 7951, A2824; RA# 2020377) (A 7; S 6) (Staff: M.J. Columbus)
- 35 TUOLUMNE RIVER CONSERVANCY, INC., A CALIFORNIA CORPORATION (APPLICANT): Consider application for a General Lease - Other, of sovereign land located in the Tuolumne River, adjacent to Assessor's Parcel Numbers 008-021-011, -025, -026, near Waterford,

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- Stanislaus County; for restoration and rehabilitation of the bed of the Tuolumne River channel and floodplain to improve the wildlife and aquatic habitat. CEQA Consideration: Mitigated Negative Declaration, adopted by the California Central Valley Regional Water Quality Control Board, State Clearinghouse Number 2020110089, and adoption of a Mitigation Monitoring Program. (Lease 8609, A2663; RA# 2019341) (A 12; S 8) (Staff: J. Holt)
- 36 SELSO VARGAS, JR., AS TRUSTEE OF THE SELSO VARGAS, JR. REVOCABLE TRUST DATED MAY 21, 2012 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 905 Piedmont Drive, Sacramento, Sacramento County; for an existing covered boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 4638, A2922; RA# 2020120) (A 9; S 6) (Staff: M.J. Columbus)

Central/Southern Region

- 37 CITY OF AVALON (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Pacific Ocean, near Avalon, Santa Catalina Island, Los Angeles County; for an existing outfall pipeline and ballast rock. CEQA Consideration: categorical exemption. (Lease 4695; A2770; RA# 2021064) (A 70; S 26) (Staff: D. Simpkin)
- 38 CITY OF SANTA BARBARA (LESSEE): Consider amendment of Lease Number PRC 4942, a General Lease - Public Agency Use, of sovereign land, in the Pacific Ocean, east of Stearns Wharf and the Santa Barbara Harbor, Santa Barbara, Santa Barbara County; to authorize ongoing monitoring and maintenance of one non-operational wastewater outfall pipeline, amend Section 2, Special Provisions, and replace lease exhibits. CEQA Consideration: categorical exemption. (PRC 4942; RA# 2021067) (A 37; S 19) (Staff: D. Simpkin)
- 39 CITY OF SEAL BEACH (LESSEE): Consider amendment and revision of rent of Lease Number PRC 3792, a General Lease - Public Agency Use, of sovereign land in the Pacific Ocean, Seal Beach, Orange County; for a patio extension and endorsement of sublease. CEQA Consideration: categorical exemptions. (PRC 3792.1; RA# 2021110) (A 72; S 34) (Staff: D. Simpkin)

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- 40 OLIVER E. CLARK III AND JEAN A. CLARK, TRUSTEES OF THE OLIVER E. CLARK III AND JEAN A. CLARK FAMILY TRUST DATED OCTOBER 12, 1983 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16601 Carousel Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, cantilevered deck, glass railing, brick pillars, rock slope protection and sheet pile. CEQA Consideration: categorical exemption. (Lease 3579; A3400; RA# 2021144) (A 72; S 34) (Staff: J. Holt)
- 41 RONNIE RIDENOUR AND GEORGIA H. FROUSIAKIS, AS TRUSTEES OF THE RIDENOUR- FROUSIAKIS FAMILY TRUST, DATED MARCH 25, 2015 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River adjacent to 1146 Beach Drive, Needles, San Bernardino County; for an existing aluminum stairway, platform, gangway, boat dock, and riprap bankline protection. CEQA Consideration: categorical exemption. (Lease 8967; RA# 2021153) (A 33; S 16) (Staff: L. Pino)

School Lands

- 42 59TC 8ME, LLC, A DELAWARE LIMITED LIABILITY COMPANY; 50LW 8ME, LLC, A DELAWARE LIMITED LIABILITY COMPANY; 26SB 8ME, LLC, A DELAWARE LIMITED LIABILITY COMPANY; AND 51LV 8ME, LLC, A DELAWARE LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use of State indemnity school land located in a portion of Section 18, Township 11 North, Range 12 West, SBM, west of Mojave, Kern County; for an overhead electrical transmission line, appurtenant facilities, and a communication line. CEQA Consideration: Final Environmental Impact Report, adopted by Kern County, State Clearinghouse Number 2021010168, and adoption of a Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (A3242; RA# 2021050) (A 36; S 16) (Staff: R. Collins)
- 43 BSTCO, A CALIFORNIA GENERAL PARTNERSHIP (APPLICANT): Consider application for a General Lease - Agricultural Use, of State indemnity school land located in Section 13, Township 10 South, Range 3

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- West, SBM, north of Escondido, San Diego County; for an existing avocado orchard and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 5265; A3091; RA# 2020442) (A 75; S 38) (Staff: R. Collins)
- 44 SAN DIEGO GAS AND ELECTRIC COMPANY (LESSEE): Consider revision of rent to Lease Number PRC 6405, a General Lease - Right of Way Use, of State indemnity school land located in a portion of Lots 7 and 18 of Tract 58, Township 16 South, Range 9 East, SBM, near Ocotillo, Imperial County; for an overhead electrical transmission line. CEQA Consideration: not a project. (PRC 6405) (A 56; S 40) (Staff: V. Caldwell)
- 45 SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE): Consider revision of rent to Lease Number PRC 3463, a General Lease - Right of Way Use, of State-owned school land located within portions of Section 36, Township 23 North, Range 6 East, SBM; Section 36, Township 22.5 North, Range 6 East, SBM; Section 16, Township 25 North, Range 5 East, SBM; Section 36, Township 25 North, Range 5 East, SBM; Section 16, Township 22 North, Range 7 East, SBM; and Section 36, Township 26 North, Range 3 East, SBM, near Death Valley Junction, Inyo County; for an overhead electrical transmission line. CEQA Consideration: not a project. (PRC 3463) (A 26; S 8) (Staff: V. Caldwell)

Mineral Resources Management

- See Regular Calendar  
Marine Environmental Protection

- No items for this section  
Administration

- No items for this section

Legal

- 46 U.S. DEPARTMENT OF VETERANS AFFAIRS (PARTY): Consider Cession of Concurrent Criminal Legislative Jurisdiction pursuant to California Government Code section 126 over lands at the Veterans Affairs Loma Linda Healthcare System, San Bernardino County. CEQA



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Consideration: not a project. (FJ 0136.12; RA# 2021192) (A 40; S 23) (Staff: P. Huber)

Kapiloff Land Bank Trust Acquisition/Expenditure

- No Items for this section

External Affairs

Granted Lands

47 CALIFORNIA STATE LANDS COMMISSION AND AMAZON.COM SERVICES LLC (PARTIES): Consider a Title Settlement and Exchange Agreement between the State of California, acting by and through the California State Lands Commission, in its regular capacity and as Trustee of the Kapiloff Land Bank Fund, and Amazon.com Services LLC, regarding certain interests in lands in the City and County of San Francisco. CEQA Consideration: statutory exemptions. (AD 688; G 11-01) (A 17; S 11) (Staff: R. Boggiano, A. Kershen)

VI Informational Calendar

- No items for this section

VII Regular Calendar 48-53

48 CALIFORNIA STATE LANDS COMMISSION (PARTY): Authorize a temporary moratorium on consideration of mineral prospecting permits and lease applications on 480 acres of reserved mineral interest school land (State Parcel Number 049-514; Accessor's Parcel Number 009-140-007, Section 16 (Township 5 North, Range 25 East), Mountain Diablo Baseline and Meridian, about 15 miles northeast of the town of Bridgeport and 5 miles north of Bodie State Historic Park, Mono County, where the surface estate is privately owned but the mineral estate is owned by the State; authorize staff to conduct a needs assessment of the parcel; and consider a resolution supporting a map amendment to the National Register of Historic Places that would add the parcel to the existing archaeological

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district established in 2002. CEQA Consideration: not a project. (A 5; S 8) (Staff: J. Mattox, S. Meshkati)	55
49 CALIFORNIA STATE LANDS COMMISSION (PARTY): Request delegation of authority for the Executive Officer to solicit Statements of Interest for consultant services, negotiate fair and reasonable prices, and award and execute agreements for the preparation of an environmental document and for studies necessary to implement an Abandoned and Derelict Vessel Removal Program for commercial vessels in the Sacramento-San Joaquin Delta, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo counties. CEQA Consideration: categorical exemption. (W27250) (A 4, 7, 9, 11, 12, 13, 14; S 3, 5, 6, 7) (Staff: V. Caldwell, K. Foster, A. Kershen)	74
50 CALIFORNIA STATE LANDS COMMISSION (PARTY): Request delegation of authority for the Executive Officer to solicit Statements of Interest and negotiate a fair and reasonable price, and award and execute agreements for professional real estate broker services, to assist with real estate property acquisitions utilizing the School Land Bank Fund. CEQA Consideration: not a project. (W26086) (A & S: Statewide) (Staff: R. Collins, K. Foster)	81
51 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)	87
52 CALIFORNIA STATE LANDS COMMISSION: Consider supporting legislation in the 2021-2022 legislative session that would require the State Lands Commission to develop a cost study that measures the fiscal impact of a voluntary buy-out of the remaining lease interests in actively producing state offshore oil and gas leases in state waters. CEQA Consideration: not a project. (A & S: Statewide) (Staff: S. Pemberton)	96

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53	CALIFORNIA STATE LANDS COMMISSION: Consider supporting AB 353 (O'Donnell) that would remove the \$300 million cap in the Oil Trust Fund, resuming deposits from the state's share of Long Beach oil operation net profits until the Fund reaches a balance that will cover the state's abandonment liabilities. CEQA Consideration: not a project. (A & S: Statewide) (Staff: S. Pemberton)	101
VIII	Public Comment	104
IX	Commissioners' Comments	105
X	Closed Session	106

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 State Lands Commission v. Signal Hill Service, Inc.; Pacific Operators, Inc., dba Pacific Operators Offshore, Inc.; DOES 1-100
- California State Lands Commission, et al. v. Martins Beach 1 LLC, et al.

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- City and County of San Francisco; India Basin Investment, LLC v. State of California; South San Francisco Dock Co.; et al.
- Eugene Davis v. State of California and California State Lands Commission
- 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
- Madden v. City of Redwood City
- Martins Beach 1, LLC and Martins Beach 2, LLC v. Effie Turnbull-Sanders, et al.
- Oakland Bulk and Oversized Terminal, LLC v. City of Oakland
- Owens Valley Committee v. City of Los Angeles, Los Angeles Department of Water and Power, et al.
- San Francisco Baykeeper, Inc. v. State Lands Commission
- San Joaquin River Exchange Contractors Water Authority v. State of California; State Lands Commission
- State of California v. International Boundary and Water Commission, et al.
- State Lands Commission v. Plains Pipeline, L.P., et al.
- United States v. Walker River Irrigation District, et al.

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- White v. California State Lands Commission; California Public Works Board
  
- 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.

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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	106
Reporter's Certificate	107

PROCEEDINGS

1  
2 CHAIRPERSON YEE: Good afternoon, everyone. I  
3 call this meeting of the State Lands Commission to order.  
4 It is Friday, February 25th, at 1 p.m. I'm State  
5 Controller Betty Yee and welcome to our completely virtual  
6 State Lands Commission meeting.

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

9 EXECUTIVE OFFICER LUCCHESI: Certainly.

10 Lieutenant Governor Eleni Kounalakis?

11 Lieutenant Governor, we did not hear you. I  
12 don't think you were on. I think you were still --

13 COMMISSIONER KOUNALAKIS: Oh. Can you hear me  
14 now?

15 EXECUTIVE OFFICER LUCCHESI: Yes.

16 CHAIRPERSON YEE: Yes.

17 COMMISSIONER KOUNALAKIS: Oh, I'm sorry.  
18 Present.

19 EXECUTIVE OFFICER LUCCHESI: Thank you.

20 State Controller Betty Yee?

21 CHAIRPERSON YEE: Here.

22 EXECUTIVE OFFICER LUCCHESI: And for the record,  
23 Commissioner alternate Gayle Miller is not present, but we  
24 do anticipate her coming to this meeting in about 15  
25 minutes.

1 CHAIRPERSON YEE: Great. Very well. Thank you.

2 EXECUTIVE OFFICER LUCCHESI: Yeah. So Madam  
3 Chair, we do have a quorum present. In addition, I would  
4 like to identify the members of the staff of the  
5 Commission and the Attorney General's office present for  
6 this virtual meeting. I am Executive Officer Jennifer  
7 Lucchesi. I'm joined by Chief Counsel Seth Blackmon,  
8 meeting liaison Kim Lunetta, Assistant Executive Officer  
9 Colin Connor, Deputy Attorney General, Andrew Contreiras,  
10 and our Zoom co-hosts Katie Robinson-Filipp, Mike Farinha,  
11 and Phil Schlatter.

12 CHAIRPERSON YEE: Thank you very much.

13 For the benefit of those joining us virtually,  
14 the State Lands Commission manages State property  
15 interests in over five million acres of land including  
16 mineral interests. The Commission also has responsibility  
17 for the prevention of oil spills at marine oil terminals,  
18 and offshore oil platforms, and for preventing the  
19 introduction of marine invasive species into California's  
20 marine waters. Today, we will hear requests and  
21 presentations involving the lands and resources within the  
22 Commission's jurisdiction. We recognize that the lands we  
23 manage have been inhabited for thousands of years by  
24 California's native people and take seriously our trust  
25 relationship with these sovereign governments.



1           I want to take a moment to honor the California  
2 Native American communities all across the state for  
3 persisting, carrying on diverse cultural and linguistic  
4 traditions and sustainably managing the land that we now  
5 share. Native people have maintained a constant presence  
6 on the landscape for many thousands of years and they are  
7 essential stewardship partners, whether along the coast,  
8 along our rivers and valleys, or in our fragile deserts.

9           We thank California Native American communities  
10 for participating in this Commission's activities and for  
11 their essential role in maintaining and adding to our  
12 state's rich cultural legacy. The next item of business  
13 will be public comment. And before I open the public  
14 comment period for items not on the agenda, first let me  
15 thank everyone, especially our stakeholders and members of  
16 the public, for taking time to join our virtual meeting.

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

21           Ms. Lucchesi.

22           EXECUTIVE OFFICER LUCCHESI: Thank you, Chair  
23 Yee.

24           First, everyone, please make sure you have your  
25 microphones or phones muted to avoid background noise.

1 For members of the public, if you would like to speak  
2 either during our public -- open public comment period or  
3 during a public comment period that is part of an agenda  
4 item, you will need to do so in one of two ways.

5           First, if you are attending on the Zoom platform,  
6 please raise your hand in Zoom. If you are new to Zoom  
7 and you joined our meeting using the Zoom application,  
8 click on the hand icon at the bottom of your screen. When  
9 you click on that hand, it will raise your hand. Second,  
10 if you are joining our meeting by phone, you must press  
11 star nine on your keypad to raise your hand to make a  
12 comment. If you are calling in and want to view the  
13 meeting, including the PowerPoint presentations, please  
14 view the meeting through the CAL-SPAN live webcast link.  
15 There will be a slight time delay, but it will avoid an  
16 echo or feedback from using the Zoom application and your  
17 phone.

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

1 you will be unmuted, so that you can share your comments.  
2 Please also remember to unmute your computer or phone and  
3 identify yourself.

4 Remember, you have a limit of three minutes to  
5 speak on an item. Please keep your comments respectful  
6 and focused. We will mute anyone who fails to follow  
7 those guidelines or at worst dismiss them from the  
8 meeting. The commission has also established an email  
9 address to compile public comments for our meetings. Its  
10 address is [cslc.commissionmeetings@slc.ca.gov](mailto:cslc.commissionmeetings@slc.ca.gov). We have  
11 received numerous emails from parties that have been  
12 shared with all the Commissioners prior to the meeting.  
13 They will -- these emails will be made available on our  
14 website. And if we receive any emails during the meeting,  
15 they will with be shared with the Commissioners and  
16 available on our website after the meeting today.

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

20 CHAIRPERSON YEE: Thank you very much, Ms.  
21 Lucchesi. Let's proceed to our next order of business,  
22 which is the public comment period. If anyone wants to  
23 address the Commission on any item -- any matter not on  
24 today's agenda, please raise your hand and you will have  
25 three minutes to do so.

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

3           ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
4 you, Madam Chair. Our first speaker is Susan Jordan.

5           CHAIRPERSON YEE: Good afternoon, Susan.

6           MS. JORDAN: Hi. Good afternoon. Can you hear  
7 me, I hope?

8           CHAIRPERSON YEE: Yes. Yes.

9           MS. JORDAN: Okay. Thank you. Susan Jordan  
10 California Coastal Protection Network.

11           In 2017, when this Commission heard the Poseidon  
12 Huntington Beach desalination plant, Chair Yee, supported  
13 by then Lieutenant Governor Newsom, directed Poseidon to  
14 modify their GHG minimization plan to ensure that the  
15 massive amount of energy that would be used to power the  
16 plant would be truly renewable and that they would not  
17 just be writing a check. Despite that direction, Poseidon  
18 submitted the very same outdated plan to the regional  
19 water board in 2019 and to the Coastal Commission just  
20 this past July. Four years, no changes.

21           Suddenly this past week, just three weeks before  
22 Poseidon was to be heard at the Coastal Commission,  
23 Poseidon announced that the desalination plant was going  
24 to be powered entirely by a hundred percent renewable  
25 energy via a partnership with the somewhat troubled Orange

1 County Power Authority. That would be nice, if it were  
2 true, but it's not. The MOU Poseidon so grandly waved  
3 around is not worth the paper it's written on and it does  
4 not require Poseidon to purchase even one dollar's worth  
5 of renewable energy from the OC Power Authority or anyone  
6 else for that matter.

7           It is a non-legally binding smoke screen. All  
8 Poseidon is required to do under the MOU is to meet with  
9 the OCPA monthly behind closed doors, inaccessible to the  
10 public due to a mutual non-disclosure agreement. During  
11 those meetings, they will supposedly be jointly evaluating  
12 the economic feasibility of a hundred percent renewable  
13 energy product.

14           Well, as your staff well knows from having sat  
15 through the regional water board hearings on this project,  
16 every time an agency tries to impose an appropriate  
17 condition that would limit this project's environmental  
18 harm, Poseidon cries economic infeasibility, which means  
19 it cuts into their profits.

20           We maintain that both the Coastal Commission and  
21 the State Lands Commission should jointly require the  
22 project to commit to true 100 hundred percent renewable  
23 energy as a condition of their 50-year permit and their  
24 lease, and that such renewable energy must be sourced at  
25 the local level where the emissions would directly affect

1 the surrounding community in the Los Angeles Basin.

2 Thank you very much.

3 CHAIRPERSON YEE: Thank you very much, Susan, for  
4 your comments.

5 Katie, our next speaker.

6 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
7 you. Our next speaker is Heidi Petty.

8 MS. PETTY: Hello, everyone. I'm here on behalf  
9 of the Carquinez Regional Environmental Education Center,  
10 and the Carquinez Region -- recovery of the waterfront --  
11 so many different words -- Recover the Waterfront  
12 Committee, and the Contra Costa Resources Conservation  
13 District.

14 I'm just here to say I want to extend my  
15 gratitude to the Commission, and particularly to staff  
16 member Vicki Caldwell for all the work that she's been  
17 doing with us at the Cockett Waterfront Project. We're  
18 trying to regreen a space that is right now just a gravel  
19 pit and ready to be a garbage dump again.

20 So I just wanted to say thank you so much to  
21 everyone for all of your work on this project in this  
22 little town, and we are looking forward to more work, so  
23 thank you all.

24 CHAIRPERSON YEE: Thank you very much.

25 Katie, our next speaker.

1 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
2 you. Our next speaker is Anna Christensen. I don't see  
3 her name on the list however, so if you are on, if you  
4 could please raise your hand and I'll go on to the next  
5 person in the meantime.

6 Our next speaker is Robert van de Hoek. And I'll  
7 just take a moment and you should be able to unmute  
8 yourself and turn on your video, if you'd like.

9 MR. VAN DE HOEK: Hello.

10 CHAIRPERSON YEE: Yes. Good afternoon, Robert.

11 MR. VAN DE HOEK: Hi. A little bit of difficulty  
12 at the beginning there, but I got through there. Okay.  
13 Thank you.

14 Hi. Yes. Good afternoon, Betty Yee, President  
15 of Coast -- State Lands Commission. And my name is Roy  
16 van de Hoek. My full name is Robert Jan van de Hoek. And  
17 during my, oh, 45 years of public service starting with  
18 the State of California at the University, Cal State  
19 Northridge, I helped a assist disabled students with van  
20 service from their home to the school. And then from  
21 there, after getting my degree, I worked in the federal  
22 government as an archaeologist, hydrologic technician, and  
23 wildlife biologist, first, in the Depart -- U.S.  
24 Department of Agriculture, U.S. Forest Service, and then  
25 in the U.S. Department of Interior, and the Bureau of Land

1 Management, and then in LA County for several decades.

2           During this time, I've had an opportunity to  
3 visit many lands that the State Lands Commission owns,  
4 manages, is the steward of. And some of those -- one of  
5 those, as an example, was in eastern San Luis Obispo  
6 County on Caliente Mountain is one of those Sections 16  
7 and 36 properties that the State got -- State received  
8 from the federal government at the beginning of statehood.

9           And I discovered there it was surrounded by  
10 federal land. So I somewhat -- we had a responsibility to  
11 help manage it, because it was a wilderness study area  
12 also. And I discovered during that time that I don't  
13 think the federal government was very good at managing  
14 State Lands. And I never found any reports that indicated  
15 what the resources were that the State Lands Commission  
16 had at that particular property.

17           During the course of my many years of work, I've  
18 visited many other of these State Lands Commission lands  
19 and found -- never found adequate information about the  
20 resources. And I'd like to request like under this 30, 30  
21 thing that our Governor has proposed that the State Lands  
22 Commission get a resources report on all of their section  
23 16 and 36 properties.

24           And I also found, during my time visiting Lake  
25 Tahoe, private property signs preventing me from accessing



1 the lakeshore. And when I would go there with my sister  
2 and -- that was disappointing, and her children to see  
3 lands -- what I knew were State Lands Commission, but you  
4 gave some of those lands to private entities to take care  
5 of or caretake for you.

6 And then lastly here at Ballona, I learned that  
7 the State Lands Commission actually acquires land  
8 during -- and I'd like to know all the lands of the State,  
9 a little public transparency, to be able to know all these  
10 lands that the State has acquired -- State Lands  
11 Commission has acquired. And I wish to speak on Item 4  
12 later under the Executive Director's report.

13 Thank you.

14 CHAIRPERSON YEE: Thank you, very much Roy.

15 Katie, our next speaker, please.

16 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our  
17 next speaker is Suzanne Cumming.

18 MS. CUMMING: Good afternoon.

19 CHAIRPERSON YEE: Good afternoon, Suzanne.

20 MS. CUMMING: Honorable Commissioners, I'm a  
21 member of Sierra Club and Defend Ballona. And I'm asking  
22 you to drop the bulldozing project in the Ballona Wetlands  
23 and support the nature-based alternatives. This  
24 bulldozing project is designed, so that it would lead to a  
25 conversion of critical marsh habitat to mudflat and

1 subtidal habitat over time due to sea level rise. The mid  
2 to high elevation marsh will convert to low elevation  
3 marsh. This is because the sea levels increases, the  
4 relative elevation of habitat to sea level decreases.

5 To visualize this, please see pages 272 to 275 of  
6 the EIR. If you look there, you can note that the first  
7 map on page 271 is a fictional snapshot in time after  
8 the protection is completed, but before sea level rise  
9 begins to convert the habitats. It's a petty picture that  
10 will never exist, because now it's 2022 and the bulldozing  
11 proposal is nine-year project. It's a misrepresentation.

12 Those who designed this bulldozing proposal, they  
13 created tables of habitat acreage -- they refuse to create  
14 tables of habitat acreage to match the future habitat  
15 projection maps. They refused, because those tables would  
16 more clearly show what the maps show, disappearing  
17 habitat.

18 Although the EIR states that development of sea  
19 level rise adaption will be a part of the next phase of  
20 design refinement, adaption using the correct sea level  
21 and flood control figures needs to happen before  
22 certification, so that people can comment on the actual  
23 project that they're going to do there.

24 Please support decertification of the flawed EIR  
25 and support the 20-point plan and nature-based solution.

1 Thank you so much.

2 CHAIRPERSON YEE: Thank very much, Suzanne.

3 Katie, our next speaker, please.

4 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
5 you, Madam Chair. Our next speaker is Anna Christensen

6 MS. CHRISTENSEN: Good afternoon. Thank you for  
7 holding another hearing for the public. My name is Anna  
8 Christensen. I'm with the Sierra Club's Los Cerritos  
9 Wetlands Taskforce.

10 And I want to introduce the State Lands  
11 Commission to your property at the corner of Pacific Coast  
12 Highway and 1st Street and the San Gabriel River and Seal  
13 Beach. This property is -- has a small wetlands area on  
14 it. It has a over 30 -- or maybe even 50 palm trees that  
15 are home to bats and owls. It also has a foundation from  
16 an old dance hall. The Los Cerritos Wetlands Authority  
17 has a restoration plan in which your property will become  
18 a parking lot and a building. We don't consider this  
19 restoration.

20 This is -- they also have another visitor's  
21 center site in the same wetlands, so they don't need two.  
22 What we -- what we're facing is very similar to what the  
23 Ballona Wetlands people are facing. It's erase and  
24 replace concept with restoration with plenty of public  
25 access, but not much preservation and definitely not

1 restoration. This area too is subject to not only sea  
2 level rise, but Tsunamis and earthquakes. And it is -- it  
3 is degraded. There was oil drilling. There was ranching,  
4 but it is a sacred site listed on the Native American  
5 Heritage Commission's list of sacred sites, as Puvungna  
6 and the Village of (inaudible). And it is also a remnant  
7 of historic wetlands.

8           The idea that this was historically full tidal  
9 wetlands however is incorrect. And what they -- LCWA is  
10 doing is piecemealing. In fact, we've managed to get two  
11 postponements now for a coastal development permit to  
12 drill out in those wetlands, so that they can put up giant  
13 berms to protect oil structures. Now, you won't be  
14 included in that. They're skipping your property for now,  
15 but we hope to inform you of the big picture, which  
16 unfortunately four State environmental agencies are  
17 proposing. And it's really tragic to have to fight  
18 environmental protection agencies to protect the  
19 environment.

20           So we appreciate you very much and we know you  
21 work with tribal people. And Anthony Morales and Rebecca  
22 Robles totally oppose not only boring the 18 holes, but  
23 the idea that their tribal lands will become a site of  
24 bulldozing and flooding for many years to come, so we're  
25 hoping that you will hear us. Thank you very much.

1 CHAIRPERSON YEE: Thank you very much, Anna.

2 MS. CHRISTENSEN: You're welcome, Betty Yee.

3 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

4 CHAIRPERSON YEE: Yes.

5 EXECUTIVE OFFICER LUCCHESI: If I may?

6 CHAIRPERSON YEE: Yes.

7 EXECUTIVE OFFICER LUCCHESI: I want to recognize  
8 that Commissioner Miller has joined the meeting. I wanted  
9 to recognize that for the record, please.

10 CHAIRPERSON YEE: Great. Thank you very much.  
11 Welcome, Commissioner Miller.

12 All right. Katie, we will return back to you.  
13 Our next speaker, please.

14 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
15 you, Madam Chair. Our next speaker is Jeffrey Finn.

16 MR. FINN: Good afternoon. I want to thank you  
17 for your public service. I'm a senior citizen and I'm  
18 calling today in public comment about Treasure Island. In  
19 2014, the agreement between the State Lands Commission and  
20 Treasure Island Development Authority -- I request that  
21 the State Lands Commission reviews the agreement, because  
22 the City and County of San Francisco has created these  
23 separate legal entities. And I believe they're not living  
24 up to the 2014 agreement to have clear title and to allow  
25 residential development and enhanced -- because the

1 agreement was to enhance public access too. And they're  
2 planning, via the Treasure Island Mobility Management  
3 Agency, which is a separate legal entity, which actually  
4 is the San Francisco Board of Supervisors, and the San  
5 Francisco County Transportation Authority, they're  
6 planning on a March 8th vote to approve this proposed \$10  
7 toll to enter and leave Treasure Island, which will, in  
8 effect, make it a gated community. It's \$5 each way.

9           And also the BCDC wrote a letter to the powers to  
10 be, because in the original FEIR and -- said that people  
11 visiting for fishing, water access are not supposed to be  
12 charged, and they're planning on charging everybody. And  
13 I -- basically, I wish you would enforce your agreement  
14 and not let them getting away with -- by all intents and  
15 purposes making it a private island for these new wealthy  
16 people moving into the development.

17           I mean, the -- from the East Bay, that would be  
18 \$17, \$7 plus \$10. And from the Golden Gate Bridge, \$8.05  
19 plus \$10 to visit anybody living on Treasure Island.  
20 There's a lot of low-income people living on Treasure  
21 Island, and there's soccer fields there, and adolescent  
22 sailing clubs there.

23           So this would be very prohibitive. And I think  
24 that they're ignoring these separate legal entities the  
25 city created this is ignoring their obligation to get the

1 land in the first place.

2 Thank you.

3 CHAIRPERSON YEE: Thank you very much, Jeffrey,  
4 for your testimony.

5 Katie Our next speaker.

6 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our  
7 next speaker is Ross Levinson.

8 MR. LEVINSON: Thank you, Commissioners. I'm not  
9 sure you can hear me.

10 CHAIRPERSON YEE: We can hear you. We can hear  
11 you, Ross. Thank you.

12 MR. LEVINSON: Thank you for your service. My  
13 name is Ross Levinson. I am a 20 plus year resident of  
14 West Contra Costa County and a daily user of the San  
15 Francisco Bay accessing the Bay through the Land Trust  
16 land on Treasure Island.

17 Similar to Mr. Finn, I'm here to ask that this  
18 Commission take actions not -- hopefully to prevent  
19 enforcement, but maybe preventative actions to prevent the  
20 City and County of San Francisco through its various  
21 agencies of imposing a \$10 toll to access and leave, once  
22 you're on the island, Treasure Island, to access the Bay.

23 The Treasure Island toll proposal violates the  
24 terms of the City and County of San Francisco's 2014  
25 agreement with the State Lands Commission. It is in

1 conflict with the Final Environmental Impact Report  
2 submitted by the City and County of San Francisco, which  
3 was relied upon for the exchange.

4           The residential -- it was a 2014 agreement, which  
5 the exchange was authorized to substantially benefit the  
6 Trust and will not result in any interference with the  
7 uses and purposes of the Trust. It was expressly provided  
8 that the exchange of the land, the Trust Land, to the city  
9 would enhance the public's use, including open space,  
10 public access, and water-related recreational activities.

11           That is absolutely not going to happen and it's  
12 going to be a violation of the Trust when the City and  
13 County Of San Francisco, as Mr. Finn just alerted you, on  
14 March 8th takes a final vote to impose the toll on all  
15 visitors to Treasure Island.

16           I would hope that this Commission, which has a  
17 staff and a budget, unlike myself, will take some type of  
18 action to prevent the City and County of San Francisco  
19 from imposing this toll on everybody in the state who  
20 wants to access the tidelands on Treasure Island to access  
21 the Bay. It is a violation of the agreement and it's a  
22 violation of their public trustee's duties. I don't know  
23 if I'm being naive in thinking that coming to these  
24 meetings might get the attention of the Commissioners, but  
25 I am aware that the staff, including Ms. Sheri Pemberton



1 had been made aware of this, as well as some of you sit on  
2 the BCDC Commission. And we are blue in the face trying  
3 to explain why this toll proposal is contrary to the State  
4 Land Trust's mission and the agreement.

5 Thank you very much.

6 CHAIRPERSON YEE: Thank you, Ross, very much for  
7 comments.

8 Katie, our next speaker.

9 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our  
10 next speaker is Alexandra Nagy.

11 MS. NAGY: Hello. Good afternoon. My name is  
12 Alexandra Nagy and I'm the California Director with Food  
13 and Water Watch and Food and Water Action. And I'm  
14 phoning in today to urge the State Lands Commission to  
15 follow the lead of LA City, L.A. County, Culver City, and  
16 Santa Monica, and the LA County Democratic Club in calling  
17 for the closure and just transition of the Playa del Rey  
18 gas storage facility.

19 No community deserves to have a gas facility, as  
20 dangerous as this one, in their backyard. We know that  
21 fossil fuel infrastructure like this facility is damaging  
22 to the health of the surrounding community, the wetlands,  
23 and it's destroying our climate and putting our residents  
24 at risk of another disaster like Aliso Canyon. The longer  
25 we delay developing a transition plan for this facility,

1 the less opportunity we have to ensure this safe,  
2 reliable, and equitable path forward for communities,  
3 workers, and the environment.

4 I wanted to just really emphasize that, you know,  
5 this is a dangerous facility. And with the leaks that we  
6 know are continuing at that field every day, leaks into  
7 the water, into the marsh, and with the State report that  
8 came out, the California Council on Science and Technology  
9 named this storage facility as having a relatively higher  
10 risk to health and safety than other underground gas  
11 storage facilities in California. And that's because of  
12 the large neighboring population nearby that has a high  
13 risk of tsunami and wildfire. And it's proximity to LAX  
14 really makes this site particularly dangerous.

15 We know that combating the climate crisis  
16 requires us to move our energy system to a hundred percent  
17 clean energy as possible. And so really my ask of the  
18 State Lands Commission today is to join in with the  
19 resolution. I know you don't have authority over that  
20 part of the Ballona Wetlands, but to really join in in  
21 calling for the closure of this field will go a long way  
22 to making sure we're heard at the Public Utilities  
23 Commission and to Governor Newsom's ears who we know is  
24 following this issue.

25 So thank you so much for your time.

1 CHAIRPERSON YEE: Thank you very much, Alexandra  
2 for your comments.

3 Katie, our next speaker.

4 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our  
5 next speaker is Andrew Sullivan.

6 CHAIRPERSON YEE: Andrew, good afternoon.

7 MR. SULLIVAN: There we are. Can you hear me?

8 CHAIRPERSON YEE: Yes, we can. Thank you.

9 MR. SULLIVAN: I'm sorry for the delay. It's  
10 kind of humbling to hear how many issues you're all being  
11 presented with today, when I'm sure everyone comes feeling  
12 that they have the most important critical thing on the  
13 agenda item.

14 I wanted to second some of the opinions that have  
15 already been expressed here regarding Treasure Island.  
16 I'm the President of the San Francisco Board Sailing  
17 Association, fourth generation San Franciscan and I'm very  
18 familiar with the long history of the city's dealing  
19 regarding this property. And I think what's important for  
20 the Commission to understand is that technically nothing  
21 has happened yet to trigger a regulatory response, because  
22 there is -- in fact, no agency has voted on or done  
23 anything that is in conflict within any of the agreements  
24 that are governed by either the BCDC or the State Lands  
25 Commission.

1           And that's because Willie Brown created this  
2 State Agency that has no relationship to the State Lands  
3 Commission or the BCDC, TIMMA. And TIMMA is pushing this  
4 proposal as far down stream as they can without triggering  
5 any regulatory response. And it's pretty clear to us,  
6 those who've been trying in good faith to work with the  
7 City on this -- and our organization has been working for  
8 22 years with the City, and we've written multiple letters  
9 to the Governors -- various Governors supporting State  
10 funding being used to improve access to the island,  
11 because we had a clear agreement with the City, which is  
12 they would maintain free -- maintain and improve free  
13 access to the tidelands and the vistas of Yerba Buena as  
14 it is explicitly defined in every single agreement the  
15 City has to obtain the land.

16           Now TIMMA has decided that they ran out of money,  
17 because they cut a bad deal with the developer and they  
18 have a ferry that's way to expensive to fund. So while  
19 there is a discussion in the FEIR of congestion  
20 management, that discussion is very specific and it's  
21 driven by data, very specific data analytics that showed  
22 there were -- there were congestion issues only during  
23 peak commute hours, in the morning and evening between  
24 Treasure Island and the city. That's it. So any  
25 discussions of congestion management should have been

1 confined to that specific time zone and specific  
2 direction.

3           Instead, the City has expanded it to all times,  
4 all directions, for all people. And the proposals they  
5 have to address equity and lower income can't be  
6 implemented. So it's just -- it's false promises being  
7 used to deflect from their real agenda, which is simply to  
8 impose a toll and then let the courts deal with it.

9           And that's our concern, that if we wait too long,  
10 the toll will become a reality, and then it will become a  
11 court issue, rather than the regulatory body stepping in  
12 earlier to stop this process. So we urge the State Lands  
13 Commission to take a close look at what's going on and use  
14 your authority in this case.

15           Thank you very much.

16           CHAIRPERSON YEE: Thank you, Andrew, for your  
17 comments.

18           Katie, our next speaker.

19           ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: The  
20 next speaker is Patricia McPherson.

21           MS. MCPHERSON: Sorry. I was waiting for you.

22           (Laughter.)

23           MS. MCPHERSON: Wrongly.

24           Hello, everyone. Thank you for hearing us. I  
25 would like to support what Alex Nagy, Food and Water Watch

1 had to say. Wholeheartedly agree with all of that. I  
2 also would like to remind you in the background that  
3 Ballona Wetlands is a predominantly seasonal freshwater  
4 wetland with multiple underlying freshwater aquifers that  
5 are classified by the Water Board as potential drinking  
6 water.

7           And I'd like to remind you that in 2005, the Fish  
8 and Game Commission approved Ballona at a Title 14,  
9 section 630 non-marine terrestrial ecological reserve with  
10 its own specific purposes and goals, which at the top of  
11 those was to protect its freshwater resources, its salt  
12 marsh, its endangered species, and specifically pointing  
13 out the Belding Savannah Sparrow and its foraging and  
14 nesting habitat, which is pickleweed and also for its  
15 wildlife corridors.

16           I'd also just like to let you know, if you're not  
17 already aware, that the site is classified. It was  
18 registered as a sacred site by John Tommy Rosas of the  
19 Tongva Ancestral Tribal Territorial Nation. He and  
20 Anthony Morales now carries on and shares his opinions of  
21 this site to protect its freshwater resources against  
22 turning Ballona into -- and excavating and turning it into  
23 a full tidal bay, which it never was.

24           And I'll end with that. Thank you very much.

25           CHAIRPERSON YEE: Thank you very much, Patricia

1 for your comments.

2 Katie, our next speaker.

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

5 CHAIRPERSON YEE: Good afternoon, Britney.

6 MR. MARTINEZ: I'm sorry. Did you all call on  
7 me?

8 CHAIRPERSON YEE: Yes. Good afternoon.

9 MR. MARTINEZ: I apologize I'm logged in as  
10 somebody else. I thought when I signed up, it said my  
11 name, but my name is Shaun Martinez, so I can change my  
12 name in the Zoom chat if you need -- if you need me to.  
13 But I'm the Western Region Coordinator for the Teamster's  
14 Amazon Division. I'm here to speak briefly regarding Item  
15 47. The California State Lands Commission and Amazon.com  
16 Services, LLC, which we were pleased to see was pulled  
17 from today's agenda. I just wanted to put it on  
18 everybody's radar that earlier this month, the City of San  
19 Francisco, which is where this land in question is  
20 located, introduced legislation to impose a moratorium and  
21 new zoning controls on parcel deliver facilities, such as  
22 what Amazon is trying to build at and near the site. So  
23 we encourage this Commission to follow these developments  
24 closely and really take a close look at this issue before  
25 it returns to this agenda.

1           And that's my comments. Thank you for the time.

2           CHAIRPERSON YEE: Thank you very much Shaun for  
3 being here.

4           Katie, next speaker, please.

5           ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our  
6 next speaker is Alexandra Austin.

7           CHAIRPERSON YEE: Good afternoon, Alexandra.

8           MS. AUSTIN: Yes. My name is Alex Austin and I  
9 am calling in to make public comment on Item number 4.

10          CHAIRPERSON YEE: Okay. I'm going to ask you  
11 just to -- just to take a moment. We will get back to  
12 you, when that item comes up. We are now taking public  
13 comment on items not on the agenda.

14          MS. AUSTIN: Oh, got it. Thank you.

15          CHAIRPERSON YEE: Thank you.

16          Katie, any other speakers for public comment?

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

20          CHAIRPERSON YEE: All right. Great. Thank you  
21 very much. Thank you to all of our members of the public  
22 who's come forward. That concludes our public comment  
23 period.

24          Why don't we move to our next item of business,  
25 which is the adoption of the minutes from the Commission's



1 meeting of December 8th, 2021. May I have a motion to  
2 approve the minutes.

3 ACTING COMMISSIONER MILLER: So moved.

4 COMMISSIONER KOUNALAKIS: So moved.

5 Sorry.

6 CHAIRPERSON YEE: That's all right. We have a  
7 motion by Commissioner Kounalakis. I see Commissioner  
8 Miller will second the motion.

9 Ms. Lucchesi, please call the roll.

10 EXECUTIVE OFFICER LUCCHESI: Certainly.

11 Commissioner Kounalakis?

12 COMMISSIONER KOUNALAKIS: Aye.

13 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

14 ACTING COMMISSIONER MILLER: Aye.

15 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

16 CHAIRPERSON YEE: Aye.

17 EXECUTIVE OFFICER LUCCHESI: The motion passes  
18 unanimously.

19 CHAIRPERSON YEE: Great. Thank you very much.

20 Our next order of business is the Executive's  
21 report -- Executive Officer's report. Let me turn it now  
22 to Ms. Lucchesi.

23 EXECUTIVE OFFICER LUCCHESI: Great. Thank you,  
24 Chair. I'll be updating the Commission and members of the  
25 public on a couple of different items in my report today,

1 one being the State budget, a couple of oil incidences --  
2 offshore oil incidences that happened towards the end of  
3 last year, an update on our Platform Holly and Piers 421  
4 decommissioning project, and the Ballona Wetlands and  
5 surrounding lands in the Commission's jurisdiction in that  
6 area.

7           So first with the 2022-2023 State budget, the  
8 Governor's proposed budget includes four budget  
9 augmentations relating to the Commission, in addition to  
10 our baseline budget. The first is a \$2 million  
11 appropriation from Environmental License Plate Fund for  
12 this next fiscal year, fiscal year 23-24 and 24-25, to  
13 operate, maintain, and dredge the Bolsa Chica Wetlands.  
14 This second is a \$500,000 one-time general fund  
15 appropriation to secure a consultant to conduct a  
16 statewide risk assessment to determine the State's  
17 liability associated with the Commission's leased  
18 premises, and to establish criteria for and develop a  
19 framework to help staff calculate appropriate levels of  
20 insurance, and bondings, and security for leases.

21           The third is a little over \$2 million one-time  
22 general fund appropriation to facilitate removal of the  
23 deteriorated infrastructure at the Crockett waterfront to  
24 improve public access and protect public health and  
25 safety.

1           And the fourth is a \$1.625 million general fund  
2 appropriation and a \$2.65 million rep -- approp -- in  
3 reimbursement authority, excuse me, to accept the state's  
4 cost-sharing contributions for the preliminary plans phase  
5 of the remedial action plan at Selby Slag. Selby Slag is  
6 a 66-acre site adjacent to the San Francisco Bay Area in  
7 Contra Costa County, where the Commission, the Department  
8 of Toxic Substances Control, and others are facilitating  
9 the remediation of heavy metal contamination on the site.

10           The Governor's budget also contains an  
11 appropriation to implement AB 525. And this includes a  
12 \$1.2 million appropriation from the general fund to the  
13 Commission to support a study of ports and other  
14 waterfront facilities as required by AB 525, which  
15 requires various agencies, led by the Energy Commission,  
16 to develop an offshore wind strategic plan for federal  
17 waters offshore California.

18           Next, I want to update the Commission on the  
19 pipeline 0919 incident. This is the Platform Eva to shore  
20 pipeline that occurred on December 22nd. So on December  
21 22nd, DCOR, a Commission lessee and operator of multiple  
22 offshore oil and gas operations reported a sheen off the  
23 coast of Orange County. An investigation found that  
24 pipeline 0919, which transports oil from State Platform  
25 Eva to shore was the source of the discharge.

1           In accordance with our regulations and at the  
2 direction of Commission staff, DCOR immediately suspended  
3 operations at the platform. Staff has worked closely with  
4 other regulators, including the State Fire Marshal  
5 throughout the initial spill response, including  
6 identification and repair of the damaged portion of the  
7 pipeline.

8           Staff continues to coordinate closely with the  
9 State Fire Marshal and other regulatory -- regulators as  
10 DCOR completes the pipeline repairs and complies with  
11 regulatory directives before any resumption of operations  
12 at the platform would be allowed. Section 2137 of our  
13 regulations provides for the resumption of drilling and  
14 production operations after adequate corrective measures  
15 have been taken and Commission staff authorizes the  
16 resumption. The staff authorization provided for in the  
17 regulation is ministerial in nature, which means that  
18 staff is required to authorize resumption after review and  
19 confirmation that corrective measures have been completed  
20 as required by law.

21           The regulation does not provide for discretionary  
22 review by the Commission or reconsideration of the lease.  
23 The lease agreement similarly does not provide for  
24 termination or reconsideration when a lessee has complied  
25 with its maintenance and repair obligation and external

1 regulatory obligations.

2           This month both the State Fire Marshal and  
3 Commission staff provided DCOR with conditions to resume  
4 operations. Once staff receives verification that DCOR  
5 completed all necessary corrective measures and repaired  
6 the pipeline as needed to prevent further pollution, DCOR  
7 will be authorized to resume and continue operations for  
8 the remainder of its lease term. The LEASE for the  
9 pipeline, 0919, expires in March of 2029.

10           Next I want to update the Commission on the  
11 pipeline P00547 incident. This is the Southern California  
12 oil spill that occurred in October. So as you know, the  
13 U.S. Coast Guard in October last year received of a report  
14 of an oil sheen off the coast of New -- of Orange County.  
15 A unified command composed of the Coast Guard, OSPR,  
16 Amplify Energy, Orange County and San Diego County was  
17 established. On February 2nd of this year, the unified  
18 command has ended response efforts for the incident.  
19 According to the unified command, the last tarball was  
20 received on January 4th and no incident of oil was  
21 observed above cleanup endpoints during the transition  
22 period. The pipeline remains shut down and the Pipeline  
23 Hazardous Materials Safety Administration, approved by  
24 Amplify -- approved Amplify's proposed pipeline repair and  
25 flushing procedure.

1           A Natural Resource Damage Assessment is in  
2 process to determine the appropriate type and amount of  
3 restoration needed to offset the impacts to fisheries,  
4 wildlife, habitat, and human uses impacted by the spill.

5           The Commission is a trustee agency participating  
6 in the NRDA process, along with OSPR, California  
7 Department of Parks and Recreation, The National Oceanic  
8 and atmospheric Administration, and the Department of the  
9 Interior represented by the U.S. Fish and Wildlife  
10 Service, Bureau of Land Management, and National Parks  
11 Service.

12           Now, I want to update the Commission on the  
13 Platform Holly and the Piers 421 decommissioning project.  
14 Staff continues to maintain and monitor Platform Holly and  
15 the onshore facilities to ensure public health and safety.  
16 Staff, Exxon, and their subcontractors continue to plug  
17 and abandon wells on the platform and have completed three  
18 of the 30 wells. Eight of the remaining 27 wells that  
19 require more involved abandonment procedure have been  
20 prepared for abandonment operations. Once preparation is  
21 finalized for these wells, the final abandonment will  
22 proceed for this group and preparation will start on the  
23 next batch of wells. Staff continues to estimate that the  
24 remaining well abandonment work will take another 10 to 12  
25 months.

1           Natural seep activity continues in and around the  
2 Platform Holly and the Ellwood offshore field. Heavy seep  
3 activity in recent calm sea conditions have resulted in an  
4 oil sheen being visible regularly in the vicinity of the  
5 platform over the past few months. Seep activity is  
6 reported daily and shows no correlation with the platform  
7 or abandonment operations. And in January, staff released  
8 the Draft EIR for the Piers 421 caisson and pier removal  
9 project, and we have since conducted two scoping meetings.

10           Once the public comment period closes on March  
11 7th, staff will prepare a final EIR for the Commission to  
12 consider at its April 26th meeting, which we're hoping is  
13 in person and will be hosted down in Santa Barbara County  
14 area.

15           Next, I want to talk a little bit about the  
16 Ballona wetlands and the surrounding lands and the  
17 Commission's jurisdiction in that area. Phil, can you  
18 please bring up my slide for this item

19           (Thereupon a slide presentation.)

20           EXECUTIVE OFFICER LUCCHESI: As Phil is bringing  
21 that up, I'll talk a little bit about the Commission's  
22 interests in this area. The Commission's ownership  
23 interests in the vicinity of the Ballona Wetlands consists  
24 of two parcels along Jefferson and Lincoln Boulevards,  
25 known as the expanded wetlands in the freshwater marsh.

1 The Commission acquired the 24-acre expanded wetlands in  
2 2004 and leases it to the California Department of Fish  
3 and Wildlife. We issued that lease in 2005 for the  
4 management inclusion in the approximately 562-acre CDFW  
5 ecological reserve.

6 The 60-acre freshwater marsh partial was -- marsh  
7 parcel was restored as a treatment wetland for the Playa  
8 de -- Playa Vista development in 2003 and is not part of  
9 the ecological reserve. The Commission acquired the naked  
10 fee title in 2004 subject to numerous covenants and a  
11 perpetual conservation easement that provides for the  
12 operation, maintenance, and funding of the management of  
13 the marsh by others.

14 By agreement between the developer Playa Vista  
15 and the Ballona Wetlands Conservancy, the freshwater marsh  
16 is managed by the Conservancy, which has four members, the  
17 Brookfield Residential Group, the City of Los Angeles, the  
18 California Natural Resources Agency represented by Fish  
19 and Wildlife, and the Friends of Ballona Wetlands.

20 CDFW recently proposed a restoration of Ballona  
21 including enhancement, public access improvements, and  
22 creation of additional wetland and upland habitat in the  
23 ecological reserve, including the Commission-owned  
24 expanded wetlands parcel. This parcel -- project area  
25 excludes the freshwater marsh. After Fish and Wildlife



1 certified the EIR, a lawsuit challenging it was filed in  
2 early 2021 and is ongoing.

3           Natural gas has been held in a storage field  
4 6,100 feet below the wetlands covered by 1,500 feet of  
5 impermeable shale, since the 1940s, subject to  
6 entitlements for the field that all predate the  
7 Commission's ownership in interests. The field's  
8 footprint includes the expanded wetlands and portions of  
9 the freshwater marsh. Southern California Gas Company  
10 monitors and operates the field, including a system of  
11 monitoring wells and pipelines within the ecological  
12 reserve. The field is operated through 54 wells  
13 directionally drilled from Playa del Rey. And according  
14 to mapping provided by SoCalGas, none of these monitoring  
15 or operational wells are located within the Commission's  
16 parcel.

17           While the controversial University Syndicate Well  
18 is within the footprint of the freshwater mash, it was  
19 abandoned in 2001. There has been a lot of concern  
20 expressed about the appearance of gas bubbles in the marsh  
21 near the University Syndicate Well. However based on the  
22 evidence that we are aware of, Ballona's marshy location  
23 is subject to natural gas seeps. And prior claims that  
24 the -- this well has been leaking have -- the evidence has  
25 not supported that conclusion based on investigations.

1           With that said, the Commission does not control  
2 the oil and gas operations in the area, because it only  
3 took surface ownership subject to existing uses and we do  
4 not own the minerals on behalf of the State. The  
5 Commission is not the relevant regulatory agency with  
6 jurisdiction over the oil and gas operations at this site  
7 and did not issue any kind of permits for the abandonment  
8 of the University Syndicate well. That is all covered  
9 primarily under CalGEM and -- with some other regulatory  
10 authority with the Public Utilities Commission.

11           And finally, I'd like to close my Executive  
12 Officer's report in -- and Phil, I think you can take down  
13 my slide now. I would like to close my Executive  
14 Officer's report in honor of two very strong advocates for  
15 the Bolsa Chica Wetlands restoration. First, I'd like to  
16 pay special honor in memory of Charles Falzon, who staff  
17 have had the pleasure of collaborating with --  
18 collaborating with for over 40 years on the Bolsa Chica  
19 wetlands restoration effort. Charles recently passed and  
20 is survived by his three daughters and wife Anna.

21           Charles was a founding member of the Amigos de  
22 Bolsa Chica, a non-profit dedicated to the acquisition,  
23 restoration, and preservation of the Bolsa Chica wetlands  
24 in Huntington Beach. Through the 1970s to the late  
25 1990's, the nearly 2000-acre wetlands habitat was

1 threatened with destruction by the proposal of several  
2 large development projects. Charles and other members of  
3 the Amigos spent countless hours of personal time over  
4 nearly 30 years, gaining the support of local residents,  
5 county board of supervisors, city councils, State  
6 Legislature, and Congress to preserve the wetlands.

7 I would also like to pay special honor in memory  
8 of Lance Kiley. Lance Kiley was a long-time staff of the  
9 State Lands Commission. He passed on December 22nd and is  
10 survived by his wife Libby, also a former staff member of  
11 the Commission, of 45 years, his daughters Dawn, Wendy,  
12 Caitlin, and Sierra and three granddaughters. Lance  
13 started working for the State as a land surveyor and civil  
14 engineer with Caltrans. He later found his State home  
15 with the State Lands Commission, where he served the  
16 Commission as a land surveyor, our Chief of our Land  
17 Management Division, and as a treasured attorney in our  
18 Legal Division. He was an incredible mentor to many of  
19 us, especially to me as young attorney.

20 Lance was especially proud of his work in -- work  
21 on preserving and restoring the Bolsa Chica Wetlands. And  
22 Lance was such a joy to work with and learn from. His  
23 savvy, his smarts, and in particularly his sense of humor  
24 were unparalleled.

25 Working with the Amigos and others, the

1 Commission, including staff leaders like Lance, purchased  
2 the Bolsa Chica Wetlands many decades ago. The Commission  
3 partnered with seven other state and federal agencies to  
4 restore and preserve the Bolsa Chica Wetlands completing  
5 the restoration of what is now the Bolsa Chica Ecological  
6 Reserve in 2006.

7 Today, the ecological reserve provides habitat  
8 for endangered species, educational and volunteer  
9 opportunities, and open space for the public to enjoy,  
10 hosting about 80,000 visitors each year. The beauty of  
11 these wetlands is a testament to the dedication and as a  
12 legacy of Lance Kiley, Charles Falzon and many others like  
13 them. The Commission and the people of the State of  
14 California are deeply indebted to their unwavering  
15 dedication to preserving the Bolsa Chica wetlands and  
16 their other work on behalf of all Californians.

17 Thank you, Chair and commissioners. That  
18 concludes my Executive Officer's report. And I do believe  
19 we have several members of the public who would like to  
20 speak relating to my report.

21 Thank you.

22 CHAIRPERSON YEE: Thank you very much, Ms.  
23 Lucchesi. First, let me just extend the Commission's  
24 condolences to the families of Charles and Lance. And for  
25 anyone who has not had the opportunity to experience the

1 Bolsa Chica Ecological Reserve, I think I can say without  
2 a doubt that their memories will be for a blessing always,  
3 and their work, and life, and commitment to this project  
4 will continue to inspire. So I just wanted to offer that.

5 Let me just see -- before public comment, I just  
6 wanted to see if the commissioners have any comments  
7 before we move to public comment.

8 Okay. All right. Thank you. Katie, let me ask  
9 for public comment from speakers relating to Item 4, the  
10 Executive Officer's report.

11 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
12 you, Madam Chair. Our first public speaker is Margot  
13 Griswold.

14 DR. GRISWOLD: Hello.

15 CHAIRPERSON YEE: Good afternoon, yes.

16 DR. GRISWOLD: Thank you. Good afternoon,  
17 Commission members. I'm Margot Griswold with Los Angeles  
18 Audubon Society. And we have the oldest education program  
19 at the Ballona Wetlands, over 20 years now. And along  
20 with several other nonprofits, we've been contributing to  
21 the Santa Monica Subbasin Groundwater Sustainability Plan.

22 We are asking the Commission for help in  
23 gathering groundwater pumping data that would affect the  
24 State Lands Commission expanded wetland parcel within the  
25 Ballona Wetlands Ecological Reserve. I want to

1 acknowledge that the land which encompasses the Ballona  
2 Wetlands Ecological Reserve is part of the unceded  
3 territory of the Tongva Gabrielino people. And the Tongva  
4 called the Ballona, "It is Filled with Water", and that  
5 would be fresh water.

6           The Ballona Wetlands were designated as an  
7 ecological reserve to preserve and protect the salt marsh  
8 and freshwater marsh habitats and the wildlife they  
9 support, including the State listed Belding's Savannah  
10 Sparrow. The Ballona Wetlands Ecological Reserve is not  
11 tidal wetland, but it is a coastal wetland system, based  
12 mainly on seasonal fresh water and the interface of the  
13 surface water and groundwater.

14           And a natural tidal channel has been installed in  
15 a small portion of the wetlands, but over much of the  
16 wetlands extensive pickleweed marsh, saltpan habitat, and  
17 riparian scrub are supported by seasonal freshwater  
18 groundwater. The draft GSP for the Santa Monica subbasin  
19 has determined the Ballona Wetlands to be a groundwater  
20 dependent ecosystem.

21           And there are data gaps for groundwater pumping  
22 that aren't known and we would like help to find out how  
23 much cumulatively Playa Vista development is pumping for  
24 their methane gas detention -- detection mitigation  
25 system, the amount of water being wasted by such

1 groundwater pumping, since it is known that the  
2 development routinely dumps pumped groundwater into the  
3 Ballona flood control channel via the freshwater marsh.  
4 This wasting is unknown in amount and affects the State  
5 Lands' parcel to the west of the freshwater marsh as well  
6 as the entire Ballona Ecological Reserve.

7           There's also a data gap that prevents modelers  
8 from determining the current potential for salt water  
9 intrusion in the area of the Ballona Wetlands, because  
10 there are no groundwater monitoring wells to use for the  
11 groundwater sustainability modeling to -- pertaining to  
12 such salt water intrusion.

13           As mentioned earlier, the Ballona Wetlands  
14 overlays the Bellflower, Ballona, and Silverado aquifers  
15 classified by the LA Regional Board as drinking water. We  
16 ask for your help and staff's help in finding this  
17 cumulative groundwater waste. It must be stopped really  
18 in the era of perpetual drought.

19           Thank you.

20           CHAIRPERSON YEE: Thank you very much, Margot.  
21           Katie, our next speaker.

22           ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
23 you. Our next speaker is Marcia Hanscom.

24           CHAIRPERSON YEE: Good afternoon, Marcia.

25           MS. HANSCOM: Thank you. Honorable,

1 Commissioners. Marcia Hanscom. I'm on the Executive  
2 Committee of the Angeles Chapter of Sierra Club and Chair  
3 of the Club's Ballona Wetlands Committee. I also used to  
4 be the -- once upon a time, 20 years ago, the Chair of the  
5 Bolsa Chica Task Force, so I do appreciate all the work  
6 the State Lands Commission did for Bolsa Chica and  
7 continues to.

8 I want to thank the -- thank the staff for  
9 including the information in the Executive Officer's staff  
10 report today. Ballona is complex and it's challenging to  
11 get all of the correct information due to years of some  
12 sort of gremlin entering into nearly every document ever  
13 written about Ballona and somehow not always being  
14 corrected. So there are some numbers in the acreage owned  
15 by the State Lands Commission that needs to be corrected.  
16 And I'll submit something in writing about that along with  
17 the backup.

18 But suffice it to say, it's clear staff is  
19 letting you know about the restrictions the State Lands  
20 Commission has in terms of what you can do at Ballona,  
21 what your responsibilities and authorities are. We also  
22 know of and are grateful for your deep commitment of -- on  
23 this Commission and your staff to help ameliorate the  
24 terrible impacts of climate change, especially sea level  
25 rise, that are going to be visiting us very soon.



1           The methane gas storage facility that stores gas  
2 piped in from Oklahoma and Texas after that gas was  
3 fracked from the earth is contributing to climate change  
4 and it needs to be shut down. The fact the State Lands  
5 Commission owns land where this facility stores gas be  
6 beneath the surface is enough of a link for you to be  
7 concerned.

8           So we would like to ask that you advocate,  
9 however you can, to close the facility down, ask the  
10 Governor, the California Public Utilities Commission, and  
11 the Legislature to act to close it down as quickly as  
12 possible. The United States of America signed a side  
13 agreement in Glasgow that committed to using significantly  
14 less methane gas now that we know it is a bigger  
15 contributor to climate change than previously thought, and  
16 also please ask them to withdraw the proposed project for  
17 Ballona Wetlands that is being touted as a restoration  
18 when it is not.

19           In fact, that project will add negative impacts  
20 to climate change when the Governor has publicly supported  
21 nature based solutions to climate change. That would mean  
22 leave the soils intact, leave the wetlands in tact, leave  
23 the thousands of trees and shrubbery in tact, and not  
24 destroy hundreds of acres of habitat that would  
25 actually -- that activity would actually release methane

1 gas -- more gas into the greenhouse gases into the  
2 atmosphere. We don't have the time or the luxury of using  
3 this fragile and imperiled habitat as a scientific  
4 experiment. Please help us. We know you care.

5 Thank you.

6 CHAIRPERSON YEE: Thank you very much, Marcia.  
7 Katie, our next speaker, please.

8 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
9 you. Our next speaker is Jane Velez-Mitchell.

10 CHAIRPERSON YEE: Good afternoon, Jane.

11 MS. VELEZ-MITCHELL: Hi. Trying to start this.  
12 Hold on. I'm trying to start. Start. Can you hear me?

13 CHAIRPERSON YEE: Yes, we can.

14 MS. VELEZ-MITCHELL: Oh, wonderful.

15 Thank you for allowing me to speak. My name is  
16 Jane Velez-Mitchell. I'm a journalist, author, and film  
17 maker living near the Ballona Wetlands.

18 And I am speaking today to beg you to use your  
19 powerful voices to tell Governor Newsom and other  
20 decision-makers that the morally and environmentally  
21 responsible decision is to shut down the crumbling  
22 SoCalGas facility that sits under the Ballona Wetlands and  
23 not proceed with the greenwashing plan that purports to be  
24 a restoration, but is, in fact, a wholesale destruction of  
25 the wetlands. You can advocate and I urge you to be on

1 the right side of history.

2           Bulldozing will take an area that, as you just  
3 heard, currently absorbs carbon and through bulldozing  
4 turn it into an area that releases carbon into the  
5 atmosphere. This is wildly irresponsible at a time of  
6 climate crisis. The bulldozing plan will also take an  
7 area that is home to 1,700 species, including threatened  
8 and endangered species, and destroy their home, and they  
9 nowhere else to go. This is LA's last coastal wetlands.  
10 This is wildly irresponsible at a time when we are in the  
11 midst of the sixth mass extinction and begging other  
12 nations like Brazil not to bulldoze their wetlands and  
13 decimate their wildlife.

14           Again, this is classic greenwashing. SoCalGas,  
15 along with developers, eyeing millions of dollars in  
16 contracts thought they could slap the word "restoration" on  
17 this destructive plan and get away with it. But the truth  
18 has come out and that's why there are six lawsuits against  
19 this destructive plan. We know the so-called  
20 environmental groups that rubber stamped this bulldozing  
21 plan were later revealed to have taken sizable donations  
22 from SoCalGas.

23           The claim that this area is dying is nonsense. I  
24 see wildlife on a daily basis. That's why I'm speaking  
25 here passionately. The other day I saw 26 pelicans at the

1 mouth of the wetlands. Again, they have nowhere else to  
2 go. There are time-stamped photos of hundreds of rare  
3 species at the wetlands, which you can study at  
4 defendballonawetlands.org. California Department of Fish  
5 and Wildlife has neglected the area. I live in the area.  
6 I see it.

7           It's a cynical bid to be able to argue that it's  
8 rundown, much as a landlord neglects an apartment when  
9 they're trying to force the tenant out. But all this  
10 neglect can be fixed with gentle restoration that does not  
11 necessitate bulldozing over decades.

12           Great news. Respected environmentalists have  
13 drawn up a detailed 20-point gentle restoration plan under  
14 Category 4, Other, that achieves all the legitimate goals  
15 of restoration, including public access, and an increase  
16 of native flora and fauna without destroying the wetlands.

17           I mean, let's be real, the true motive, and it's  
18 obvious to anybody, common sense, for getting those  
19 bulldozers in there is to help SoCalGas stay in operation  
20 and avoid an Aliso Canyon style blowout, considered one of  
21 the worst environmental disasters in California history.

22           We've been talking about spills. We can prevent  
23 a catastrophe at Ballona by shutting this facility down.

24           Thank you.

25           CHAIRPERSON YEE: Thank you, Jane, very much for

1 your testimony.

2 Katie, next speaker, please.

3 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
4 you. Our next speaker is Alexandra Austin.

5 MS. AUSTIN: Thank you. Hi. I'm Alex Austin.  
6 And I'm with Save Porter Ranch. I am calling in to make  
7 public comment on Item number 4. And just given the dire  
8 reality of climate change and as a community member from  
9 Porter Ranch who experienced an environmental disaster and  
10 the horrible health impact from the gas storage facility  
11 at Aliso Canyon, I urge you to stand in support with the  
12 Playa del Rey community to shut down the Playa del Rey gas  
13 storage facility.

14 Our current and future generations are counting  
15 on our responsible action steps needed from health and  
16 government officials at all levels to act urgently in  
17 cutting off fossil fuels, and moving toward clean energy.

18 Thank you and I yield my time.

19 CHAIRPERSON YEE: Thank you very much, Alexandra.

20 Katie, our next speaker, please.

21 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
22 you. Our next speaker is Robert van de Hoek.

23 CHAIRPERSON YEE: Hello, Roy, Can you hear us?

24 MR. VAN DE HOEK: I can here you and I'm trying  
25 to get my video going, but I don't think that's going to

1 work like it did on the general public comment. But -- it  
2 has a red line through the start the video, but that's  
3 okay. I don't need to be seen.

4 Okay. I'm ready to start.

5 CHAIRPERSON YEE: We can hear you.

6 MR. VAN DE HOEK: Okay. Thank you.

7 Dear State Lands Commission, I wish to address  
8 the Executive Director's report. I was able to review it.  
9 And I believe your Executive Director did a very good  
10 reading of the report. And there were a couple of items  
11 I'd like to suggest for correction.

12 One is that the second paragraph mentions an EIR.  
13 And it says a lawsuit singular. It should be a lawsuits.  
14 I believe there's five lawsuits. And under the third  
15 paragraph, it mentions the shale is impermeable and the  
16 gas -- the shale is not impermeable. You could look at  
17 any general textbook on geology. Shale is not  
18 impermeable. I think that was a political kind of  
19 decision, a sales sort of pitch in order to say it would  
20 be good to store gas there beginning in the 1940s and  
21 '50s, so -- and its gas is migrating and coming to the  
22 surface in various locations where there's been explosions  
23 and fire events, and lawsuits that have been settled where  
24 the gas company has admitted that it was their gas.

25 I'd just like to add that it's time to ask for a

1 genetic study, like a fingerprint study of the gas so when  
2 we know it's coming from Oklahoma or Wyoming, you can --  
3 you can actually have real good knowledge and give you a  
4 good data set, and close up the data gaps of just being  
5 vague.

6           And that brings me to the part of the third  
7 paragraph, or the final paragraph, where the Executive  
8 Director said that the University Syndicate Gas Well has  
9 actually not been studied genetically, as I just said. So  
10 there was a phrase she used that to the best of that we  
11 are aware of, it's not there, but that is a biased report  
12 that has come to you for that.

13           Regarding paragraph one, it says that Ballona  
14 Wetlands is -- that the State Lands Commission has leased  
15 it to the CDFW, but that's not a permanent lease. That  
16 can be withdrawn by the State Lands Commission. And it  
17 could be done in conjunction with asking the State  
18 Legislature to -- and the Governor to withdraw their  
19 interest in having -- accepting the lease.

20           And the Ballona Wetlands Conservancy is  
21 infiltrated by the gas company and SoCal -- and Edison  
22 corporations. Utility companies have infiltrated your  
23 Conservancy that has been established. And one of the  
24 groups called the Friends of Ballona Wetlands is actually  
25 run and dominated by the corporations I mentioned, gas

1 company Sempra and Edison. And the university reports are  
2 not independent university studies that you're getting,  
3 because they're biased towards having a gain financially  
4 at the universities and their scientists.

5 So there needs to be a whole investigation. I  
6 think it would be nice to request -- oh, I've reached my  
7 three minutes. Could I have just one or -- just -- not  
8 even a minute, just 15 seconds to say I would urge you to  
9 request that the naked fee title that's mentioned and the  
10 covenants that you begin to -- a process to withdraw those  
11 and take more full control of the State Lands Commission,  
12 maybe asking for the State Legislature's help. Thank you  
13 for the additional time, Ms. Yee.

14 CHAIRPERSON YEE: Thank you very much, Roy.  
15 Katie, our next speaker, please.

16 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
17 you. Our next speaker is Patricia McPherson.

18 CHAIRPERSON YEE: Okay. Hello, Patricia.

19 MS. MCPHERSON: Hi again. Patricia McPherson,  
20 Grassroots Coalition. I would like to support the  
21 comments made by Dr. Griswold and in part Roy's comments  
22 that he just made regarding the well.

23 There is a need for the State Lands Commission to  
24 actively participate in this Public Trust. It's a Public  
25 Trust land oversight capacities of the freshwater marsh



1 system. The Playa Vista management, upon which SLC has  
2 relied, is, according to the 2006 stipulated judgment of  
3 the Coastal Commission settlement agreement between Playa  
4 Vista, City of LA, Friends of Ballona, is the Ballona  
5 Foundation. That note does not exist. It was never  
6 actually consummated.

7 The organization that you're talking about now in  
8 the 2006 stipulated judgment describes and puts in there  
9 the Ballona Wetlands Conservancy and demonstrates that its  
10 membership are Playa Vista entities of the development  
11 site itself. And if you have anything else that's newer,  
12 I would like to have that, because I have Public Record  
13 Act requested information from you, and you've not  
14 provided anything since the foundation time frame.

15 Also, this -- Playa Vista has demonstrated that  
16 it is not a helpful management entity for the site. And  
17 in 2005, when the Fish and Game Commission was discussing  
18 whether to keep the ecological reserve in the reserve or  
19 keep it out of the reserve, it was only decided that we  
20 would allow Playa Vista to maintain oversight and at a  
21 later time we can come back and revisit this situation.  
22 We would like to see it revisited, because Playa Vista has  
23 had illegal drains on the site for 20 years that the  
24 Coastal Commission stated they violated the Coastal Act by  
25 harming the hydrology of Ballona and its ecology.

1           We have a CDFW letter from Betty Courtney in 2017  
2 also citing that Playa Vista has harmed the hydrology of  
3 the freshwater marsh system. We have NPDES permits that  
4 have been rejected by the Water Board to Playa Vista for  
5 them trying to send the water to the sanitary sewer.

6           And quickly on the University City Syndicate, you  
7 need to update all of the information. I provided you  
8 with a great deal of information. We are looking at this  
9 well. It is thermogenic gas. Kathleen Connell, back in  
10 earlier days, had investigation studies done to protect  
11 the area, so you can as well. And it is a leaking well.  
12 And I've provided you with the City of LA's expert's  
13 opinion of the well and its dangers that are inherent in  
14 it right now.

15           You own the land five 500 feet up. And even  
16 though Playa Vista was the last reabandonment operator,  
17 you do own the land, 500 feet up. So this is a mutually  
18 ownership situation that we would like the help from State  
19 Lands Commission. And please, review the information that  
20 I've provided to you. Thank you very much.

21           CHAIRPERSON YEE: Thank you, Patricia.

22           Katie, our next speaker, please.

23           ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
24 you, Madam Chair. At this time, we have no other hands  
25 raised to provide public comment.

1 CHAIRPERSON YEE: Okay. Thank you very much.  
2 Let me just turn to Ms. Lucchesi to see if there's any  
3 further comment on this item.

4 EXECUTIVE OFFICER LUCCHESI: Not on my end.  
5 Thank you, Chair.

6 CHAIRPERSON YEE: Okay. Great. Thank you very  
7 much.

8 Commissioners, anything else on Item 4?

9 All right. Very well. Thank you.

10 The next order of business will be the adoption  
11 of the Consent Calendar. Let me turn to Commissioners  
12 Kounalakis and Miller. Are there any items that you would  
13 like to see removed from the consent calendar?

14 Okay. Seeing none, I will next call on Ms.  
15 Lucchesi to indicate which items, if any, have been  
16 removed from the consent calendar.

17 EXECUTIVE OFFICER LUCCHESI: Yes. Consent items  
18 9 and 47 have been removed from the agenda and will be  
19 considered at a later time. Additionally, through the  
20 Chair, I would like to request that the consent agenda be  
21 taken up in two separate votes. The first for consent  
22 items 1 through 31 and 33 through 46 with the exceptions  
23 of items 9 and 47, which have been removed. We can then  
24 take up consent item 32. This will allow any of the  
25 commissioners to abstain, if they wish to do so.

1 CHAIRPERSON YEE: Very well. Thank you. Let me  
2 see if we -- first, is there anyone joining us virtually  
3 who wishes to speak on any item on the consent calendar,  
4 at this time, Katie. If so, we ask that you please raise  
5 your Zoom hand or dial nine, if joining by phone now.

6 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
7 you, Madam Chair. As of now, we have no hands raised, at  
8 the moment.

9 CHAIRPERSON YEE: Okay. Very well. Thank you.  
10 So hearing and seeing none, we will now proceed  
11 with the vote. May I have a motion to adopt the consent  
12 agenda items 1 through 31 and 33 through 46. Is there a  
13 motion?

14 COMMISSIONER KOUNALAKIS: So moved.

15 ACTING COMMISSIONER MILLER: Second.

16 CHAIRPERSON YEE: Okay. A motion by Commissioner  
17 Kounalakis, seconded by Commissioner Miller.

18 Ms. Lucchesi, please call the roll.

19 EXECUTIVE OFFICER LUCCHESI: Certainly.

20 Commissioner Kounalakis?

21 COMMISSIONER KOUNALAKIS: Aye.

22 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

23 ACTING COMMISSIONER MILLER: Aye.

24 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

25 CHAIRPERSON YEE: Aye.

1 EXECUTIVE OFFICER LUCCHESI: The motion passes  
2 unanimately.

3 CHAIRPERSON YEE: Thank you very much.

4 Now, may I have a motion to adopt the consent  
5 agenda item 32?

6 ACTING COMMISSIONER MILLER: Move adoption of  
7 consent agenda item 32.

8 CHAIRPERSON YEE: Okay. We have a motion by  
9 Commission Miller. I will second that motion.

10 Ms. Lucchesi, please call the roll.

11 EXECUTIVE OFFICER LUCCHESI: Certainly.  
12 Commissioner Kounalakis?

13 COMMISSIONER KOUNALAKIS: Abstain.

14 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

15 ACTING COMMISSIONER MILLER: Aye.

16 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

17 CHAIRPERSON YEE: Aye.

18 EXECUTIVE OFFICER LUCCHESI: The motion passes  
19 two votes with one abstention.

20 CHAIRPERSON YEE: Very well. Thank you very  
21 much. The next order of business will be the regular  
22 calendar.

23 Item 48 relates to the authorization of a  
24 temporary moratorium on considering mineral prospecting  
25 permits and lease applications on 480 acres of reserve

1 federal interest school lands in Mono County.

2 May we have the presentation.

3 EXECUTIVE OFFICER LUCCHESI: Certainly. Jennifer  
4 Mattox will be providing staff's presentation.

5 CHAIRPERSON YEE: Great. Thank you  
6 Good afternoon, Jennifer.

7 (Thereupon a slide presentation.)

8 SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:  
9 Good afternoon, Chair and Commissioners,  
10 Jennifer, and staff, and folks in the audience.

11 And what I'm seeing on my screen is very tiny. I  
12 don't know if that's coming up in slide view for other  
13 people.

14 CHAIRPERSON YEE: It is small. Looks like it's  
15 got a couple of slides layered over the other. Let's try  
16 again.

17 SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

18 And while that's being cued up, I'll go ahead  
19 introduce myself. I'm Jennifer Mattox. I am the  
20 Commission's Tribal Liaison. And I'm here today to  
21 present hopefully and item everybody can feel pretty good  
22 about. This is Item 48. There's three parts to this  
23 item, supporting an archaeological district nomination, a  
24 temporary moratorium on applications to con -- and  
25 directing staff to conduct a needs assessment.

1           This parcel that we're talking about is 100  
2 percent reserved mineral interests parcel in Bodie Hills  
3 area of Mono County.

4           Next slide, please.

5                               --o0o--

6           SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

7           All right. So this item that we're talking  
8 about, it pertains to a 480-acre parcel, again in the  
9 Bodie Hills area of Mono County. It's what is known as a  
10 split estate, where the State has the 100 percent reserved  
11 mineral interests, but the surface estate is owned by a  
12 private party, the Hunewill Land and Livestock Company.

13           Now, surrounding our parcel, you'll see in the  
14 green hatched area, there is federal lands, managed by the  
15 Bureau of Land Management. The designation on these lands  
16 is a wilderness study area. And you'll also see there,  
17 it's called the Dry Lakes Plateau. The Dry Lakes Plateau  
18 is a name that was given as an archaeological district  
19 when this area was listed on the National Register of  
20 Historic Places.

21           It was listed due to the presence of significant  
22 archaeological sites and features that demonstrate  
23 continuous human presence for over 8,000 years. The  
24 parcel additionally holds great potential for other future  
25 scientific research endeavors.

1           Next slide, please.

2                               --o0o--

3           SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

4           A little bit of history of this parcel. Once  
5 again, a reminder that what we look at, applications that  
6 come to us, would concern mineral prospecting or mineral  
7 development as we are 100 percent reserve mineral interest  
8 owner. So we've had a lot of interest over the years and  
9 those are summarized here, but we've never authorized  
10 development.

11           The most recent permittee, Radius Gold, provided  
12 evidence of gold potential, but a proposal for commercial  
13 extraction has not proceeded. Part of this is that any  
14 application for commercial development would face some  
15 pretty steep challenges due to the area's isolation from  
16 other development and existing access, and then again the  
17 presence of these significant environmental and cultural  
18 values. It also faces some objection from the current  
19 surface's estate owner, and local nonprofit environmental  
20 advocates, and local tribes.

21           Next slide, please.

22                               --o0o--

23           SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

24           I'll give a little bit of history. And then  
25 following this presentation, we have some speakers that



1 are intimately involved in the archaeological district  
2 listing. So just as a really quick summary, the district  
3 right now is a little over 3,300 acres of federal land.  
4 It's a really unique area. It's supported with really  
5 rich plant and animal life due to the reliability of water  
6 sources. There's some seeps and springs and two creeks.  
7 And, you know, otherwise, this landscape is pretty dry.

8           So with this, it supported hunting, gathering,  
9 and human habitation. Again, about 8,000 to 10,000 years.  
10 There's rock art. There's ceremonial sites. There's  
11 other features of significance to the Paiute people. And  
12 the district also possesses some important paleobotany  
13 features. That's sort of, you know, pre-historic plants.  
14 And it's an important feature that shows the migration of  
15 pinyon pine over the centuries and eons through -- as the  
16 climatic changes took place over California. So those  
17 seeds are about 5,000 years old or so. And then there's  
18 some interesting pack rat middens that provide some  
19 scientific evidence.

20           Unfortunately, while the portion of the Dry Lakes  
21 Plateau managed by the federal government was listed in  
22 2002, there is about 600 acres that were excluded. And  
23 that was due to the objection of the surface owner at the  
24 time. Private surface owners can object to National  
25 Register listings. So even though they were found to be

1 eligible by the National Register, the keeper, they were  
2 excluded due to that objection.

3           Recently, however, part of why we're here is that  
4 prior surface owner sold to the Hunewill family. And  
5 subsequent to that, the Bridgeport Indian Colony engaged  
6 in government-to-government consultation with us. And the  
7 Hunewill family as well requested that we not allow future  
8 mining and that they participate partnership on  
9 recognizing these two areas as significant to the  
10 archaeological district.

11           Next slide, please.

12                           --o0o--

13           SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

14           And to our recommendation. So due to these  
15 concerns raised by the tribe and the surface landowner,  
16 and in consideration of the significant cultural and  
17 archaeological values associated with this parcel, staff  
18 recommends that at this time, you authorize a three-year  
19 temporary moratorium on lease applications or other permit  
20 applications. And that would allow staff time to conduct  
21 a thorough analysis of the parcel to determine the most  
22 suitable future use for this parcel, given the potential  
23 conflict between the cultural significance on the one hand  
24 and our revenue generation responsibilities on school  
25 lands on the other hand.

1           In addition, we are recommending that you adopt a  
2 resolution supporting the inclusion of the parcel on the  
3 National Register, in keeping -- and that's keeping with  
4 our commitments to protecting cultural heritage, and in  
5 recognition of State policy as well. We really urge you  
6 to recognize the value and rich history of Native American  
7 habitation in this area, since time immemorial.

8           And that concludes my presentation.

9           CHAIRPERSON YEE: Thank you very much, Jennifer.  
10 Really appreciate the presentation. And the thoughtful  
11 delineation of the next steps to further this Commission's  
12 commitment with respect to the preservation of these very,  
13 very important cultural lands that we have in California.

14           Let me turn to Commissioners Kounalakis and  
15 Miller to see if there are any comments or questions at  
16 this time? Actually, I want to welcome Mr. Dumlao who is  
17 going to be now representing Commissioner Kounalakis.  
18 Welcome.

19           ACTING COMMISSIONER DURLAO: Good afternoon.  
20 Thank you very much.

21           CHAIRPERSON YEE: Thank you.

22           Any questions Commissioner Miller, Commissioner  
23 dumlao?

24           ACTING COMMISSIONER MILLER: Just a brief  
25 statement. Ms. Mattox, that was a fantastic presentation.

1 And I'm just struck by the 5,000 year old seeds. Like I  
2 think it just is so telling about that -- we're really  
3 borrowing this time on earth than to be able to have this  
4 small impact. And the work you've done indeed is  
5 incredibly special. And I just really appreciate learning  
6 from you. So thank you very much.

7 CHAIRPERSON YEE: Thank you, Commissioner Miller.  
8 You talked about 5,000. You think about our  
9 years of statehood and you really begin to put in  
10 perspective, you know, what was here before. So very much  
11 appreciate the presentation.

12 I know we have speakers on this item. Let me  
13 look to Katie to see if we could have our first speaker on  
14 item 48, please.

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

17 For our first speaker, we have Chairman Herbert  
18 Glazier. I believe this is the attendee, so I'm going to  
19 promote them to panelist. Let's see. I might not be able  
20 to promote you to panelist. I'm going to allow you to  
21 unmute.

22 CHAIRPERSON YEE: Chairman Glazier, are you able  
23 to hear us?

24 EXECUTIVE OFFICER LUCCHESI: The Chairman may  
25 need to unmute on his end.

1 MS. BOLTON: You might have given it to me. I  
2 have the ability to unmute, not -- possibly not Herbert  
3 Glazier.

4 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Okay.

5 MS. BOLTON: I'm Lynn Bolton with the Range of  
6 Light Group.

7 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Oh,  
8 okay. Thank you. It was reading as a different name, so  
9 I was hoping you were Chairman Glazier. I don't see him  
10 on the list as of now. We have a phone number calling in.  
11 I'm going to unmute him just to see if that is him and  
12 then we'll get back to you soon. Thank you. This is a  
13 phone number ending in 083. Is -- does this happen to be  
14 Chairman Glazier?

15 BRIDGEPORT INDIAN COLONY GLAZIER: Hello.

16 CHAIRPERSON YEE: Yes, is this Chairman Glazier?

17 BRIDGEPORT INDIAN COLONY GLAZIER: Yes, it is.

18 CHAIRPERSON YEE: Hello. You are with the State  
19 Lands Commission, Chairman, and really --

20 BRIDGEPORT INDIAN COLONY GLAZIER: Yes.

21 CHAIRPERSON YEE: -- appreciate you coming before  
22 us. This is your time to provide comment to the  
23 commissioners.

24 BRIDGEPORT INDIAN COLONY GLAZIER: Yes. And I  
25 want to thank you, Madam Chairman for letting me speak.

1 Jennifer, gosh, you hit every highlight that I have to  
2 say. But I just want to concur with her and reinforce  
3 the -- to urge you guys to follow through with your  
4 recommendations there. And as far as the Bridgeport  
5 Indian Colony, this land in question, it's been, you know,  
6 by the tribes. It's not just Bridgeport Indian Colony  
7 tribe. There's five other reservations around here that  
8 this is sacred to. And it's just not us. And the  
9 studies, there have been archaeological studies going on.  
10 And they have all signs of -- it must have been a  
11 throughway back when for all the tribes going back and  
12 forth, north and south. And the studies have found onion  
13 blinds, rock rings, obsidian, game corrals in this area up  
14 there. So that's why the tribes really would like to  
15 leave it the way it is basically.

16 And section 16 and part of 28, you know, it  
17 wasn't included in 2002. But now, with Jeff Hunewill in  
18 there on board now, you know, we'd like to have that  
19 resolution to put it on a national register. And  
20 that's -- like I say, this is sacred to us in this whole  
21 area back here. And what's really -- I don't want to see  
22 happen is north of there is Aurora, Nevada and it's mining  
23 in there. And you go there now and it's just stripped.  
24 There's nothing, no trees, sagebrush, nothing. And this  
25 is what basically we don't want to happen in this area or

1 we're -- that's in question, and that's it.

2 CHAIRPERSON YEE: Thank you very much, Chairman  
3 Glazier. We really appreciate you coming before the  
4 Commission with those comments.

5 Thank you.

6 BRIDGEPORT INDIAN COLONY GLAZIER: Yes. Thank  
7 you.

8 CHAIRPERSON YEE: Katie, our next speaker,  
9 please.

10 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
11 you, Madam Chair. Our next speaker is Jeffrey Hunewill.

12 CHAIRPERSON YEE: Okay. Good afternoon, Mr.  
13 Hunewill.

14 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Mr.  
15 Hunewill, you might have to unmute yourself.

16 CHAIRPERSON YEE: Mr. Hunewill, are you able to  
17 unmute yourself.

18 EXECUTIVE OFFICER LUCCHESI: You can unmute  
19 yourself by pressing star nine.

20 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: If  
21 there are difficulties with the audio, it might be  
22 possible for you to log out and then try coming back in.  
23 That might help fix the issue.

24 EXECUTIVE OFFICER LUCCHESI: Katie, through the  
25 Chair, if there are no objections, maybe we can move on to

1 our next speaker.

2 CHAIRPERSON YEE: Yes, let's do that. I just  
3 want to be sure Mr. Hunewill, when he is back on, we will  
4 take him at that time.

5 Katie, our next speaker, please.

6 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Yes.  
7 Thank you. Our next speaker can Alison Harvey.

8 CHAIRPERSON YEE: Good afternoon, Alison.

9 MS. HARVEY: Here I am.

10 CHAIRPERSON YEE: There you are. Good afternoon.  
11 Great. Welcome.

12 MS. HARVEY: Good afternoon. Well, thanks --  
13 thank you for listening to us. And I wanted speak to why  
14 the Dry Lakes Plateau is on the register and why Section  
15 16 should also be on it. And it goes back to the ice age  
16 about 10,000 years ago when the Great Basin -- when it  
17 ended about 10,000 years ago. And the Great Basin entered  
18 a period of very wet, cold, and those Great Lakes that  
19 you've heard about grew to a great size. But then about  
20 7,500 years ago, it entered a 3,500-year period of  
21 extremely hot and dry climate. Those lakes dried out and  
22 much of the Great Basin became an inhospitable desert.

23 And the plant and food resources pretty much  
24 disappeared. Most of the people in the Great Basin either  
25 died or left. And we know this because there's an



1 absolutely blank material record -- archaeological record  
2 during that three and a half thousand year period. But  
3 that didn't happen on the Dry Lakes Plateau.

4           It's immediately east of the Sierra, so it gets a  
5 lot of water, a lot more rain and snow than the  
6 surrounding areas. And Indian people were able to survive  
7 and forage continuously throughout that period. And  
8 again, as Jennifer mentioned, the archaeological record  
9 shows the record of their presence. And these can be  
10 dated both by their style and by obsidian hydration  
11 techniques.

12           The extraordinary botanical evidence is on  
13 section 16 and it consists of some rat middens that were  
14 found in a cave right where Radius Gold wanted to drill.  
15 There are five rat middens in there. They went through  
16 three of these. And at risk of TMI, these are piles of  
17 rat poop cemented by rat pee that look like a big amber  
18 pyramid. And the botanists dig through this stuff  
19 radiocarbon date the plant materials that they find. And  
20 that record exactly matched the archaeological record that  
21 was up there. This is what qualified the Dry Lakes  
22 Plateau to be put on the National Register.

23           By -- the 3,500 years, that's 175 generations of  
24 people that were able to survive through that period.  
25 Paiute people still rely on this area. They're still

1 hunting and gathering in the area. And I can't speak for  
2 them, but I know when they talk about this area, they're  
3 speaking from their hearts. And if we can get Jeff  
4 Hunewill on the line you'll hear the same reaction from  
5 him.

6           The problem when we get these applications is  
7 that the Lands Commission defers to Mono County to do the  
8 cultural and environmental analysis. And they really  
9 don't have the capacity. They generally want to do a  
10 negative declaration. So we're hoping to put that past  
11 us. We've applied for a grant to enlarge the register and  
12 we expect we could do that within the next year and a half  
13 complete it. We look forward to this and we are pleased  
14 to partner with you and we do appreciate your staff's  
15 excellent work.

16           Thank you.

17           CHAIRPERSON YEE: Thank you, Alison, very much.  
18           Katie, do we have Mr. Hunewill back?

19           ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
20 you, Madam Chair. We'll try this again. So, Jeffrey  
21 Hunewill, if you're able to unmute yourself, you can hit  
22 star nine to unmute yourself.

23           MR. HUNEWILL: Hello.

24           CHAIRPERSON YEE: Hell, Mr. Hunewill.

25           MR. HUNEWILL: Hi. Yes.

1 CHAIRPERSON YEE: Great.

2 MR. HUNEWILL: Glad to be here.

3 CHAIRPERSON YEE: Great. Thank you. We can hear  
4 you and welcome. You have three minutes to address the  
5 Commission.

6 Thank you for joining us.

7 MR. HUNEWILL: All right. Thank you. As you  
8 know, this is Jeff Hunewill from Hunewill Land and  
9 Livestock. We own this -- the land in question here.  
10 We've owned it for about five years. And as you've heard  
11 prior to that, the former landowner didn't want to  
12 participate in the National Register of Historic Places or  
13 any of those sorts of things.

14 We believe this whole area of the Dry Lakes  
15 Plateau is really special and should be preserved as it  
16 is. I've known that from the first time I went up there  
17 with my wife about six years ago. And we went up that day  
18 and we're right by the East Dry Lake and there was a herd  
19 of antelope that -- it was magical. They came over the  
20 ridge, ran across the dry lakes, and down to Bodie Creek.  
21 It was like a wildlife film, I guess. It was very  
22 impressive.

23 And later that -- later that same day, we were  
24 looking around up there and we found the salt cliff. And  
25 on that cliff was -- were -- was some ancient rock

1 writing, the petroglyphs, I guess they're called up on the  
2 Dry Lakes Plateau. And of course, there are -- from what  
3 I understand, they're hundreds or even thousands of years  
4 old. And so anyway, this is a really unique area and  
5 seems to be that mining in this really special area would  
6 not be right.

7           So I would request that the Commission approve  
8 moratorium on mining and also recommend for the National  
9 Historic Register on this parcel.

10           Thank you.

11           CHAIRPERSON YEE: Thank you very much, Mr.  
12 Hunewill. Very much appreciate you and -- coming before  
13 the Commission with your comments.

14           Katie, our next speak on this item.

15           ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
16 you, Madam Chair. Our next speaker is Lynn Bolton with  
17 Range of Light Group.

18           CHAIRPERSON YEE: Okay. Good afternoon, Ms.  
19 Bolton.

20           Hello. Ms. Bolton, are you able to hear us?

21           ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: I'm  
22 checking. I'm not sure if she got dropped off the Zoom  
23 call. Let me go through the list real quick.

24           Oh, there we go.

25           MS. BOLTON: So I'm here.

1 CHAIRPERSON YEE: Yes.

2 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Yes.  
3 Yes.

4 MS. BOLTON: I can't see. I lost the Zoom --

5 CHAIRPERSON YEE: That's all right. We can --

6 MS. BOLTON: Good afternoon, Commissioners

7 CHAIRPERSON YEE: We can hear you. Good. Thank  
8 you.

9 MS. BOLTON: My name is Lynn Bolton. I'm the  
10 Chair of the Range of Light Group, which is the part of  
11 the Sierra Club that is in the Eastern Sierra and includes  
12 Bodie Hills. And we absolutely support a mineral  
13 withdrawal on section 16 in the Dry Lakes Plateau, as well  
14 as the listing on the National Register. The -- I've been  
15 to the Dry Lakes Plateau several times and it's just a gem  
16 of the Bodie Hills and most of the plateaus within the  
17 Bodie Wilderness Study Area, because it is -- it's just  
18 stunningly beautiful. There are ephemeral -- two  
19 ephemeral lakes. Wild flowers cover the plateau with  
20 colors -- all colors of the rainbow, and many species are  
21 rare. They have been documented by CNPS through Ann  
22 Howald and Tim Messick.

23 So it's also an important migration corridor for  
24 the Pronghorn and Mule Deer and -- but for me, a key  
25 interest is that the Bodie Hills is the stronghold of the

1 Bi-State Sage-Grouse. And that is the most stable  
2 population, largest population of the Bi-State Sage-Grouse  
3 in the entire range. It's -- it constitutes about 66  
4 percent of the California population of Bi-State Sage  
5 Grouse. And that has been in decline -- serious decline  
6 over the last 50 years by 67 percent.

7           And more specifically at the Dry Lakes Plateau,  
8 there is one of the largest leks. And the lek is where  
9 the males gather to mate with the females. And in 2020,  
10 there were 73 males that gathered there to do their dance.  
11 And in last year, in 2021, there were 36 males spotted  
12 there. So, you know, it fluctuates, but overall, the  
13 Bodie Hills population has been the most stable, while the  
14 other population areas have been blinking out. And a lot  
15 of that has to do with its remoteness, as well as the  
16 snowmelt and the high elevation.

17           And it's also been just amazing that it has had  
18 the human occupation all through the holocene. And it's  
19 because it was a higher elevation and gets snow in winter  
20 and has -- it's become a climate refugia for thousands of  
21 years. And it is still today the climate refugia, whereas  
22 we go into climate change, it's going to continue to be.  
23 And that's pretty amazing. So it's a very important  
24 ecosystem it needs to be protected and not mined. An open  
25 pit mine would just be -- it's too sacred of an area to

1 destroy, and wipe out. So I fully support the mining  
2 withdrawal.

3 Thank you.

4 CHAIRPERSON YEE: Thank you, Ms. Bolton. Thank  
5 you for your testimony.

6 Katie, our next speaker, please.

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

10 CHAIRPERSON YEE: All right. Great. Thank you  
11 very much.

12 Then, Commissioners, let me look to you to see if  
13 there's a motion to adopt the staff recommendation.

14 ACTING COMMISSIONER MILLER: I'd love to move to  
15 adopt the staff recommendation, please --

16 CHAIRPERSON YEE: Thank you, Commissioner Miller.

17 ACTING COMMISSIONER MILLER: -- and thank  
18 everyone for their comments.

19 ACTING COMMISSIONER DURLAO: And happy to second  
20 the motion.

21 CHAIRPERSON YEE: Thank you.

22 We have a motion by Commissioner Miller, second  
23 by Commissioner Durlao.

24 Please call the roll, Ms. Lucchesi.

25 EXECUTIVE OFFICER LUCCHESI: Commissioner Durlao?

1           ACTING COMMISSIONER DURLAO:    Aye.

2           EXECUTIVE OFFICER LUCCHESI:   Commissioner Miller?

3           ACTING COMMISSIONER MILLER:   Aye.

4           EXECUTIVE OFFICER LUCCHESI:   Chair Yee?

5           CHAIRPERSON YEE:            Aye.

6           EXECUTIVE OFFICER LUCCHESI:   The motion passes  
7   unanimously.

8           CHAIRPERSON YEE:   Thank you very much.   And let  
9   me just say to the staff thank you for just continuing to  
10   look for these, you know, just gems of so much of what has  
11   been a big part of our history and doing everything we can  
12   to preserve them going forward.   Really appreciate the  
13   ongoing diligence with that.

14           Thank you.

15           Our next item is Item number 49 and that's to  
16   request delegation of authority for our Executive Officer  
17   to solicit statements of interest for our consultant  
18   services for the preparation of an environmental document  
19   and for studies necessary to implement an Abandoned and  
20   Derelict Vessel Removal Program.   And these are for  
21   commercial vessel in the Sacramento-San Joaquin Delta.

22           I believe we have a presentation on this from Ms.  
23   Caldwell, yes?

24           Good afternoon.

25           (Thereupon a slide presentation.)



1 PUBLIC LAND MANAGER CALDWELL: Thank you,  
2 Commissioner. Good afternoon, Madam Chair, commissioners,  
3 and members of the public.

4 My name is Vicki Caldwell. I'm a Public Land  
5 Manager in the Land Management Division. I'm here to  
6 present information on Item 49, our Commercial Abandoned  
7 and Derelict Vessel Removal Implementation Plan.

8 Next slide.

9 --o0o--

10 PUBLIC LAND MANAGER CALDWELL: Staff requests  
11 that the Commission delegate authority to the Executive  
12 Officer to retain a contractor to prepare an environmental  
13 document and to conduct studies to implement an Abandoned  
14 and Derelict Vessel Removal Program for commercial vessels  
15 in the Sacramento-San Joaquin Delta.

16 Next slide.

17 --o0o--

18 PUBLIC LAND MANAGER CALDWELL: I would like to  
19 start with a little background. For years, the Commission  
20 has advocated for a State level program to address  
21 commercial abandoned vessels, CADVs, in State waters. A  
22 significant step was taken in 2011 when the Legislature  
23 passed SB 595 and Public Resources Code 6302, and vested  
24 the Commission with the power to declare certain vessels  
25 abandoned property and take title, and remove, and dispose

1 of them.

2 Next slide.

3 --o0o--

4 PUBLIC LAND MANAGER CALDWELL: In 2018, the  
5 Legislature passed SB 2441 -- AB, sorry, sponsored by  
6 former Assembly Member Frazier, which directed the  
7 Commission to prepare a plan for the removal of commercial  
8 abandoned vessels in the Sacramento-San Joaquin Delta.  
9 The Commission adopted its abandoned commercial vessel  
10 removal plan in June 2019.

11 At the time, the Legislature did not provide  
12 funding to implement the plan. The Budget Act of 2021  
13 allocated a one-time \$12 million to the Commission to  
14 remove CADVs in the Sacramento-San Joaquin Delta region.

15 Next slide.

16 --o0o--

17 PUBLIC LAND MANAGER CALDWELL: Our implementation  
18 program for the funding will include the following  
19 components: a CEQA analysis, field studies and surveys,  
20 and vessel prioritization.

21 Next slide.

22 --o0o--

23 PUBLIC LAND MANAGER CALDWELL: The first step is  
24 a CEQA analysis to assess the potential environmental  
25 impacts in the Delta associated with CADV abatement

1 activities. This will be a high level analysis examining  
2 the diversity of habitat and species that exist in the  
3 Delta as well as potential removal and disposal methods.

4 Next slide.

5 --o0o--

6 PUBLIC LAND MANAGER CALDWELL: The second step is  
7 a field survey to identify the current number and location  
8 of abandoned commercial vessels and ground truth existing  
9 data. Staff anticipates that the survey be limited to the  
10 legal Delta in order to focus program efforts. The  
11 contractor will attempt to gather identifying information,  
12 such as vessel name, registration number, or other  
13 physical information, that can be used to locate owners or  
14 responsible parties for the removal notification and cost  
15 recovery.

16 Next slide.

17 --o0o--

18 PUBLIC LAND MANAGER CALDWELL: The last step is  
19 vessel prioritization. Once the survey is complete, the  
20 contractor, in consultation with the Commission staff and  
21 other relevant agencies, will prioritize vessels and sites  
22 for abatement. Prioritization will focus on removing the  
23 most environmentally hazardous vessels or those that pose  
24 the greatest danger to the public and navigation.

25 Next slide.

1                   --o0o--

2                   PUBLIC LAND MANAGER CALDWELL: Staff anticipates  
3 contracting for the CADV Program elements described above  
4 in the first quarter of 2022 with CEQA analysis, studies  
5 and surveys, and prioritization expected to be completed  
6 in early 2023. Due process for the first targeted vessels  
7 would be begin in mid-2023 with abatement actions starting  
8 shortly thereafter. Staff expects the CADV Program to  
9 continue for approximately three to five years until the  
10 funding is spent.

11                  Next slide.

12                   --o0o--

13                  PUBLIC LAND MANAGER CALDWELL: I'm excited to  
14 give you an update on an abandoned commercial tug that was  
15 recently authorized by the Commission for removal at the  
16 October 21st meeting. It was in mid-January when the  
17 Valiant, a World War II era steel tugboat broke free from  
18 its mooring and drifted into the navigation channel of the  
19 San Joaquin River. An incident team was quickly set up.  
20 The team included Commission staff, Sacramento and San  
21 Joaquin County Sheriff's offices, California Fish and  
22 Wildlife's Office of Spill Prevention and Response, the  
23 U.S. Coast Guard, the Army Corps of Engineers, and the  
24 U.S. EPA.

25                  Next slide.

1                   --o0o--

2           PUBLIC LAND MANAGER CALDWELL:   About 2,500  
3 gallons of fuel and oil were removed while the vessel was  
4 still floating, which is pretty amazing.  After removing  
5 the fuel and oil, the vessel was removed from the water at  
6 Mare Island in Vallejo.

7           Next slide.

8                   --o0o--

9           PUBLIC LAND MANAGER CALDWELL:   The vessel was  
10 removed to the scrap yard on February 2nd of this year.

11          Next slide.

12                  --o0o--

13          PUBLIC LAND MANAGER CALDWELL:   The Valiant  
14 removal is an example of an effective and collaborative  
15 work of all the participating agencies and having the  
16 monetary resources of available to act quickly.

17          Next slide.

18                  --o0o--

19          PUBLIC LAND MANAGER CALDWELL:   Staff requests the  
20 Commission authorize the Executive Officer to solicit  
21 requests for office -- for offers for contractor services  
22 and award and execute agreements for the preparation of an  
23 environmental document, and for studies necessary to  
24 implement the proposed CADV Program.

25          Next slide.

1                   --o0o--

2                   PUBLIC LAND MANAGER CALDWELL: Thanks so much and  
3 that concludes my presentation. We are available to  
4 answer any questions you may have.

5                   CHAIRPERSON YEE: Great. Thank you very much,  
6 Vicki for the presentation. Let me just look to  
7 Commissioners Miller and Dumlao, any questions or comments  
8 at this time?

9                   ACTING COMMISSIONER DUMLAO: None from me.

10                  ACTING COMMISSIONER MILLER: (Shakes head.)

11                  CHAIRPERSON YEE: Okay. Very well. Thank you.  
12 Katie, let me turn to you. Any members of the public who  
13 wish to comment on this item? If anyone does wish to  
14 comment, please raise your Zoom hand now.

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

18                  CHAIRPERSON YEE: All right. Very well. Thank  
19 you. So seeing none, is there a motion to adopt the staff  
20 recommendation and a second.

21                  ACTING COMMISSIONER MILLER: Move approval of the  
22 staff recommendation, please.

23                  CHAIRPERSON YEE: Okay. Thank you, Commissioner  
24 Miller.

25                  ACTING COMMISSIONER DUMLAO: And I second that

1 motion.

2 CHAIRPERSON YEE: Great. So we have a motion by  
3 Commissioner Miller, seconded by Commissioner Dumlao.

4 Ms. Lucchesi, please call the roll.

5 EXECUTIVE OFFICER LUCCHESI: Certainly.

6 Commissioner Dumlao?

7 ACTING COMMISSIONER DUMLAO: Aye.

8 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

9 ACTING COMMISSIONER MILLER: Aye.

10 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

11 CHAIRPERSON YEE: Aye.

12 EXECUTIVE OFFICER LUCCHESI: The motion passes  
13 unanimately.

14 CHAIRPERSON YEE: Great. Thank you so much.  
15 Thank you. We will now move to Item 50, which is to  
16 request designation of authority for the Executive Officer  
17 to solicit statements of interest for profession real  
18 estate broker services. And this is to assist in our --  
19 with our real estate property acquisitions utilizing the  
20 School Land Bank Fund. And I believe we have a  
21 presentation by Mr. Foster. Good afternoon.

22 (Thereupon a slide presentation.)

23 PUBLIC LAND MANAGER FOSTER: Yes. Good afternoon.  
24 Thank you. Madam Chair and commissioners, I'm Ken Foster,  
25 Public Land Manager with the Commission's Land Management

1 Division. I'm presenting on Item 50, the Commission's  
2 School Land Investment Program.

3 Next slide, please.

4 --o0o--

5 PUBLIC LAND MANAGER FOSTER: In 1853, following  
6 California's entry into the union, the federal government  
7 gave certain sections of land to the State for purposes of  
8 financing a public school system, thus the name school  
9 lands. The Majority of those parcels were sold off in the  
10 late 19th and early 20th centuries for that purpose. Fast  
11 forward to 1984, the Legislature adopted the School Land  
12 Bank Act that placed all remaining school lands and  
13 retained mineral interests into a trust and created the  
14 School Land Bank Fund.

15 The Act also named the Commission as the trustee  
16 to proactively manage, enhance, and develop these  
17 remaining school lands interests into a permanent and  
18 productive resource base. As part of a program to help  
19 achieve the goals described in the School Land Bank Act,  
20 staff proposes to use money in the School Land Bank Fund  
21 to purchase investment property to add to the trust.

22 Next slide, please.

23 --o0o--

24 PUBLIC LAND MANAGER FOSTER: To assist with  
25 developing the School Land Investment Program, the



1 Commission hired the consultant AgInvest International to  
2 prepare a report entitled, "Strategic Investment  
3 Considerations for the School Land Bank Fund". The report  
4 describes, among other things, important considerations  
5 for investing in agricultural and commercial property and  
6 investment related similarities and differences between  
7 the two property types.

8 More importantly, the report makes specific  
9 recommendations based on considerations unique to the  
10 commission for the most suitable property investments  
11 within each class, and provides an evaluation matrix for  
12 each type. The report recommends pursuing specific types  
13 of Investment Property in the five to 15 million dollar  
14 price range with an initial emphasis on agricultural  
15 property, since staff has some experience with  
16 administering agricultural leases on existing school lands  
17 parcels.

18 The report's decision matrices are designed to  
19 help staff evaluate prospective purchases by applying data  
20 from economic, environmental, and social categories on a  
21 weighted scale to produce a relative score.

22 Next slide, please.

23 --o0o--

24 PUBLIC LAND MANAGER FOSTER: Depicted here is a  
25 section from the agricultural matrix tool showing the

1 necessary data inputs for the economic section. The  
2 environmental and social sections are laid out in a  
3 similar manner with weighted values from each section  
4 total to obtain an overall score.

5 Next slide, please.

6 --o0o--

7 PUBLIC LAND MANAGER FOSTER: Staff believes that  
8 retaining the services of a real estate broker with  
9 knowledge and experience dealing with the type of real  
10 estate investments that the report recommends will be the  
11 first step in a successful investment program. The broker  
12 would select potential investment property using the basic  
13 selection criteria from the report and any specific  
14 instructions from staff and would conduct the in-depth  
15 analysis, evaluation using the appropriate matrix.  
16 Property that a broker finds to be suitable would then be  
17 sent on to Commission staff who would perform a similar  
18 analysis to verify the broker's conclusion.

19 If staff concur with the broker's analysis and  
20 believe the perspective parcel would be a good fit, staff  
21 would seek authorization from the Executive Officer to  
22 open negotiations with the seller and set purchase terms,  
23 include making a deposit. Any final purchase would be  
24 contingent upon Commission approval and any property  
25 purchase would then be added to the School Land Trust.

1 Next slide, please.

2 --o0o--

3 PUBLIC LAND MANAGER FOSTER: Staff reiterates the  
4 recommendation made in Item 50 to authorize the  
5 solicitation of offers for real estate broker services to  
6 inform staff recommendations and facilitate real estate  
7 property purchases for the School Land Investment Program.

8 Next slide, please.

9 --o0o--

10 PUBLIC LAND MANAGER FOSTER: Thank you. This  
11 concludes my presentation. Staff is available to answer  
12 any questions.

13 CHAIRPERSON YEE: Thank you very much, Ken, for  
14 the presentation. Let me look to our Commissioners. Any  
15 questions or comments at this time?

16 (Shakes head.)

17 CHAIRPERSON YEE: Okay. Seeing none, Katie, let  
18 me look to you, any members of the public who wish to  
19 address the Commission on this item? If -- is there  
20 anyone -- if anyone wishes to comment, please raise your  
21 Zoom hand now.

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

25 CHAIRPERSON YEE: All right. Very well. Thank

1 you.

2           Seeing none, is there a motion to adopt the staff  
3 recommendation?

4           ACTING COMMISSIONER MILLER: I'll move adoption  
5 of the staff recommendation.

6           CHAIRPERSON YEE: Thank you, Commissioner Miller.  
7 We have a motion by Commissioner Miller.

8           ACTING COMMISSIONER DURLAO: And I will second  
9 that motion.

10           CHAIRPERSON YEE: Seconded by Commissioner  
11 Durlao.

12           Mr. Lucchesi, please call the roll.

13           EXECUTIVE OFFICER LUCCHESI: Certainly.  
14 Commissioner Durlao?

15           ACTING COMMISSIONER DURLAO: Aye.

16           EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

17           ACTING COMMISSIONER MILLER: Aye.

18           EXECUTIVE OFFICER LUCCHESI: Chair Yee?

19           CHAIRPERSON YEE: Aye.

20           EXECUTIVE OFFICER LUCCHESI: The motion passes  
21 unanimately.

22           CHAIRPERSON YEE: Okay. Thank you very much.

23           We'll now move on to --

24           PUBLIC LAND MANAGER FOSTER: Thank you.

25           CHAIRPERSON YEE: Thank you, Ken.

1           We'll now move on to Item 51, which is to discuss  
2 and take possible action on State legislation that is  
3 relevant to the State Lands Commission. And let me turn  
4 to Sheri Pemberton for the presentation.

5           Good afternoon.

6           EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Good  
7 afternoon. Thank you Chair Yee and Commissioners. My  
8 name is Sheri Pemberton and I'm the Chief of our External  
9 Affairs Division. This item is an informational update on  
10 State legislation. Staff is not recommending action on  
11 any of the bills listed in the leg. report at this time.  
12 The legislative session is well underway, though it's  
13 still early. Last Friday was the bill introduction  
14 deadline and Committee hearings will gear up starting in  
15 March and April.

16           As always, many of the bills that were introduced  
17 are in spot form and those are not reflected in the bill  
18 tracking list, because we don't yet know what they will  
19 look like, but we'll be continuing to track those and  
20 providing an update to the Commission at the April  
21 meeting.

22           There are several bills recently introduced and  
23 four in particular that directly affect the Commission, so  
24 I wanted to touch on those briefly. The first is AB 1832,  
25 which would ban the State Lands Commission and local

1 trustees from issuing a lease for hard minerals on tide  
2 and submerged lands. This bill is focused on banning  
3 seabed mining and modeled on a bill that the State of  
4 Washington passed last year, and also efforts coalescing  
5 across the globe to proactively ban seabed mining, even  
6 though no deep-sea mining is occurring yet, but the  
7 International Seabed Mining Authority may issue  
8 regulations within the next year or two to govern that  
9 process. And that's in part what's prompted more  
10 attention on this issue.

11 The second bill I wanted to highlight is SB 953  
12 Senator Min, which is in response to the oil spill in  
13 Southern California this last October. This bill would  
14 require the Commission to terminate all remaining offshore  
15 oil and gas leases by the end of 2023. The bill has  
16 garnered a lot of attention and is a bill that we're  
17 watching carefully.

18 The third bill - and there's four total that I'll  
19 mention - is SB 1065 by Senator Eggman. This bill would  
20 create a Commercial Abandoned Vessel Removal Program and  
21 task the Commission with administering this program, and  
22 so I wanted to highlight that, because we've been working  
23 with the author's office and other stakeholders. And it  
24 also kind of relates to the item that we heard earlier on  
25 abandoned vessel removal efforts.

1           The last bill I wanted to highlight is AB 2607 by  
2 Assembly Member Ting. This bill is sponsored by the San  
3 Francisco Fire Department and it's intended to facilitate  
4 building a new regional firefighter training facility to  
5 replace one that will have to be demolished because of  
6 development at Treasure Island where it's currently  
7 located. This bill would authorize the Commission to  
8 convey certain land to the City free of the Public Trust  
9 for purposes of building this new regional firefighter  
10 training facility.

11           Other bills of note include those focused on  
12 reducing plastic pollution and addressing climate change.  
13 SB 1078 Senator Allen is one in particular to note,  
14 because it would involve the Commission in a process to  
15 determine criteria for a sea level rise loan funding  
16 program where certain local jurisdictions can leverage low  
17 interest loans to purchase properties designated as  
18 vulnerable. The Governor vetoed a broader version of this  
19 bill last year. And this new bill is narrower and  
20 oriented toward vulnerable properties in communities that  
21 are disproportionately affected by climate change.

22           I'll be following these bills in the months to  
23 come and working with the authors' offices, committee  
24 staff, and CNRA as necessary, the Natural Resources  
25 Agency, and will potentially be bringing bills before the

1 Commission to consider taking a position on at the April  
2 meeting.

3           It's going to be busy, interesting, and  
4 fast-paced legislative year, and I look forward to  
5 updating you at our April meeting. And that's it. And  
6 I'm happy to any questions or elaborate on any of the  
7 bills. Thank you.

8           CHAIRPERSON YEE: Okay. Thank you so much,  
9 Sheri, for the update and look forward to your report in  
10 April when these bills take better shape and we have a  
11 better sense of their direction.

12           Any comments or questions by our commissioners?

13           ACTING COMMISSIONER DURLAO: (Shakes head).

14           ACTING COMMISSIONER MILLER: (Shakes head).

15           CHAIRPERSON YEE: Okay. Seeing none, I will just  
16 note that SB 1078 by Senator Allen, I just wanted to thank  
17 Senator Allen for reintroducing the bill with a specific  
18 focus on our more vulnerable communities. And so I hope  
19 that we can have a broader discussion of that. The State  
20 Lands Commission is minimally affected as a coordinating  
21 partner, as a result of our partnership along many State  
22 agencies on our sea level rise plan. So thank you for  
23 putting that and adding this bill onto the list.

24           So let me see if there are any members of the  
25 public who wish to address this item.



1           Katie.

2           ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
3 you, Madam Chair. For our first speaker we have Laura  
4 Walsh.

5           MS. WALSH: Hi, this is Laura. Can you hear me?

6           CHAIRPERSON YEE: Yes, we can, Laura. Good  
7 afternoon.

8           MS. WALSH: Fantastic. Good afternoon. Good  
9 afternoon, Chair, commissioners, and staff. My name is  
10 Laura Walsh. I'm the California Policy Manager for the  
11 Surfrider Foundation. Thanks for the opportunity to speak  
12 today about the legislative report and specifically  
13 Assembly Bill 1832. Surfrider represents more than 50,000  
14 coastal and ocean advocates nationwide with the majority  
15 of our membership based in California.

16           We're co-sponsoring AB 32, the Seabed Mining  
17 Prevention Act authored by Assemblywoman Luz Rivas to  
18 safeguard California's incredible coastline from the  
19 damaging impacts of seabed mining. As you likely recall,  
20 along with our colleagues at The Pew Charitable Trusts,  
21 Surfrider and allies engaged the Commission throughout  
22 2019 and 2020 with a request that the Commission prohibit  
23 authorization of leases for the mining of hard minerals in  
24 state marine waters.

25           While you included a related priority in your

1 five-year strategic plan, we ultimately determined that a  
2 legislative approach was appropriate. AB 1832 mirrors the  
3 policy approach that Oregon and Washington have both  
4 already adopted. The bill is supported by nearly two  
5 dozen leading environmental organizations, including The  
6 Nature Conservancy, Heal the Bay, Oceana, and the Benioff  
7 Ocean Initiative.

8           On February 15th, we hosted a virtual bill  
9 launch, where we were joined by 50 supporters including  
10 Dr. Diva Amon, a National Geographic Explorer, and Matthew  
11 Gianni with the Deep Sea Conservation Coalition. We've  
12 been contacted by deep sea advocates from around the world  
13 just in the last two weeks, including representatives of  
14 Pacific island nations who are excited to see California's  
15 leadership on this global issue.

16           Scientists, tribes, NGOs, and major companies  
17 globally are all calling for actions to prevent seabed  
18 mining, because of its damaging impacts, the true extent  
19 of which are still unknown. Six hundred scientists signed  
20 a statement calling for a halt on seabed mining, and major  
21 companies like BMW and Samsung have signed on to a  
22 moratorium.

23           We've appreciated the technical assistance that  
24 SLC staff has provided the author's office on this bill  
25 and we're receptive to any further input. Given there are

1 no seabed mining prospectors in State waters currently, we  
2 hope the Commission can provide public support for this  
3 proactive effort to safeguard the coast and prevent the  
4 disastrous impacts that seabed mining has to our State  
5 waters and resources.

6 So we're asking this Commission to support AB  
7 1823 and we'd be happy to give a longer presentation at  
8 your April meeting, if that's desired, and we look forward  
9 to working with you.

10 Thank you.

11 CHAIRPERSON YEE: Thank you very much, Laura.  
12 Appreciate your comments.

13 Katie, our next speaker.

14 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
15 you, Madam Chair. Our next speaker is Amy Wolfrum.

16 CHAIRPERSON YEE: Good afternoon, Amy.

17 MS. WOLFRUM: Good afternoon. Thank you. Just  
18 getting myself off mute. So good afternoon, Chair,  
19 Commissioners. My names -- and staff. My name is Amy  
20 Wolfrum and I'm the California Ocean Policy Senior Manager  
21 for Monterey Bay Aquarium. Thank you for the opportunity  
22 to comment on today's legislative report and specifically  
23 AB 1832, California Seabed Mining Prevention Act. The  
24 mission of Monterey Bay Aquarium is to inspire  
25 conservation of the ocean. And we take action to protect

1 California's ocean wildlife and ecosystems against  
2 significant threats like seabed mining. With 1,100 miles  
3 of coastline and 5,500 square miles of water extending  
4 three miles offshore, our State waters are home to some of  
5 the world's most biodiverse ecosystems.

6 The Aquarium is pleased to be co-sponsoring  
7 Assembly Bill 1832, along with Surfrider. And I'm here  
8 today to request the Commission's support of our effort.

9 Marine scientists and engineers are in a race to  
10 explore and map the ocean, including the fragile  
11 communities living in the water and on the seafloor. We  
12 are discovering around 2,000 new species of ocean life  
13 every year. Careful stewardship of the ocean based on  
14 data and science and not just on the potential for  
15 commercial gain needs to drive seabed mining policy.

16 Seabed mining can destroy whole communities of  
17 plants and animals on the seafloor leaving behind habitats  
18 that may never recover due in part to slow growth times  
19 that characterize life in the deep ocean. And the  
20 seafloor is not the only area of ocean vulnerable to  
21 seabed mining operations, which also generate large toxic  
22 plumes filled with sediment and metals scraped off the  
23 seafloor.

24 We still need to learn more about the full  
25 impacts of these plumes in the ocean, but scientists say

1 they could interfere with the health of marine species,  
2 including their migratory feeding and reproduction  
3 patterns. Mining operations also result in noise, light,  
4 and thermal pollution that disrupt marine communities.

5 With so much at stake in California waters and so  
6 little known about seabed mining and its potential  
7 significant impacts to the health of our ocean, the  
8 Aquarium is supporting AB 1832, which would prohibit these  
9 activities in State waters.

10 We hope the Commission will join us in endorsing  
11 this legislation for the future of California. We are  
12 also happy to answer questions you may have about this  
13 legislation at future meetings.

14 Thank you.

15 CHAIRPERSON YEE: Thank you very much, Amy.  
16 Really appreciate your testimony this afternoon.

17 Katie, our next speaker, please.

18 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
19 you, Madam Chair. At this time, we have no other hands  
20 raised to provide public comment.

21 CHAIRPERSON YEE: All right. Thank you very  
22 much. Again, thank you Sheri for the presentation. This  
23 is essentially an informational item. We will be hearing  
24 updates at our April meeting on many of these bills, if  
25 not any in addition to this list, so thank you for the

1 presentation.

2 We'll now move on to Item 52. This is to  
3 consider supporting legislation this session, in the  
4 2021-22 session that would require the State Lands  
5 Commission to develop a cost study to measure the fiscal  
6 impact of a voluntary buyout of the remaining lease  
7 interests in actively producing State offshore oil and gas  
8 leases in State waters.

9 Sheri, would you please present this item.

10 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.  
11 Thank you, Madam Chair and Commissioners. Item 52  
12 recommends that the Commission support legislation that  
13 would require the Commission to develop a cost study that  
14 measures the fiscal impact of a voluntary buyout of the  
15 remaining lease interests in the Commission's remaining  
16 offshore oil and gas leases.

17 As I'm sure you're aware in recent months,  
18 lawmakers, environmental groups, and others have called  
19 for an end to offshore oil and gas production in State  
20 waters. California has not issued a new offshore oil and  
21 gas lease since the 1960s, but 11 actively producing  
22 leases remain. These leases were issued in the 1940 and  
23 50s and lack an end date. And they can continue so long  
24 as oil and gas is produced in paying quantities or the  
25 lessee is conducting other necessary lease or well

1 maintenance operations, so they can continue on for many  
2 more years.

3           The leases are legal contracts. And like with  
4 any leases, the lessor, the Commission, can't terminate  
5 the leases in good -- if they're in good standing without  
6 incurring significant legal and fiscal consequences. Last  
7 October, there was an underwater pipeline operated by  
8 Amplify Energy corporation that ruptured and spilled about  
9 25,000 gallons of oil into the ocean causing a lot of  
10 environmental damage and other consequences. And that  
11 spill heightened the call to end offshore oil and gas  
12 development in California waters.

13           Senator Min announced that he would introduce  
14 legislation to ban all existing oil and gas operations.  
15 And Governor Newsom has called for California to end on  
16 and offshore oil development by 2045. And several major  
17 oil companies have committed to zero net energy emissions  
18 by 2050.

19           So all that to say that the cost study in this  
20 legislation would assess the fiscal impact of buying out  
21 the remaining interests in the State's leases. And it  
22 would provide that knowledge and foundation that's  
23 necessary to embark on that effort.

24           The cost study can also assess ways the State can  
25 propel oil and gas companies toward voluntarily ending

1 offshore oil and gas production as a component of a  
2 strategy to reach zero net energy emissions by 2050 or  
3 sooner. So the idea is to quantify the costs and provide  
4 that concrete and -- or yield that concrete information  
5 that can inform actions for practical solutions and next  
6 steps

7           So we recommend that the Commission take a  
8 support position on this bill. It has been introduced.  
9 It's AB 2257 and the author Assembly Member Boerner  
10 Horvath, and it will be heard in the Assembly Natural  
11 Resources committee in March or April.

12           Thank you and I'm happy to answer any questions.

13           CHAIRPERSON YEE: Thank you, Sheri, very --  
14 Sheri, very much. Commissioners, I actually have been  
15 working with the author to try to advance this bill. We  
16 all know that there will be continued push and a desire on  
17 the part of many to accelerate the end of offshore oil and  
18 gas development, and certainly in line and consistent with  
19 our transition to a hundred percent renewable energy.

20           But I think this Commission and the -- certainly  
21 the essential role that it plays in all of that wants to  
22 be sure that we are doing this in a very thoughtful and  
23 deliberate manner. I think data has always driven the  
24 decisions that we have made and certainly the actions that  
25 we take in this regard. And I just think that for any



1 bill that suggests that we want to further accelerate this  
2 transition, that this is really threshold and foundational  
3 work that needs to be done is what's been encompassed in  
4 this bill proposing a cost study. We need to have  
5 knowledge about the fiscal impact, including unrealized  
6 State revenue anticipated, lost operator profits, related  
7 workforce impacts, as well as the costs ultimately to  
8 plug, abandoned, and decommission the wells, platforms,  
9 and any ancillary infrastructure.

10 So all of that I think is just important  
11 information to have, which is why I -- this measure is  
12 before us today. So let me look to Commissioners Dumlao  
13 and Miller for any questions or comments.

14 ACTING COMMISSIONER DUMLAO: I just have one  
15 quick comment, Controller. Thank you for your leadership  
16 on this issue and the Assembly Member's leadership on this  
17 issue as well. And, you know, we have bits and pieces of  
18 information I feel like related to various aspects that  
19 you outlined, Madam Chair. And this would be a great way  
20 of collecting it all, putting it all, you know, out there  
21 for the public and the Commission to see. So we really  
22 understand, you know, what it's going to take in order to  
23 make this transition.

24 This is an important transition. We have to do  
25 it. We have to do it right. We have to move quickly, but

1 we also need to move quickly with the right information.  
2 So I appreciate everyone's effort to move this issue  
3 forward.

4 CHAIRPERSON YEE: Thank you, Commissioner Dumlao.  
5 Commissioner Miller.

6 ACTING COMMISSIONER MILLER: Just briefly. I  
7 also appreciate your leadership and the amazing work  
8 you've done on this. We'll be abstaining from this item,  
9 however. Thank you so much.

10 CHAIRPERSON YEE: Okay. Thank you. Thank you.  
11 All right. Let me just see if there are any members of  
12 the public who wish to address the Commission on this  
13 item? And if there are, we will ask anyone who wishes to  
14 comment to please raise your Zoom hand now, and Katie if  
15 you'll recognize them.

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

19 CHAIRPERSON YEE: Okay. Very well. Thank you.  
20 So given that, may I have a motion to adopt the  
21 staff recommendation on this item?

22 ACTING COMMISSIONER DURLAO: I move that we adopt  
23 the staff recommendation on -- for this item.

24 CHAIRPERSON YEE: Thank you very much,  
25 Commissioner Dumlao, and I will second that motion.

1 Ms. Lucchesi, will you please call the roll.

2 EXECUTIVE OFFICER LUCCHESI: Of course.

3 Commissioner Dumlao?

4 ACTING COMMISSIONER DUMLAO: Aye.

5 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

6 ACTING COMMISSIONER MILLER: Abstain, please.

7 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

8 CHAIRPERSON YEE: Aye.

9 EXECUTIVE OFFICER LUCCHESI: The motion passes  
10 two to zero with one abstention.

11 CHAIRPERSON YEE: Great. Thank you very much.  
12 Appreciate that.

13 CHAIRPERSON YEE: And then we now move on to Item  
14 53, which is to consider supporting AB 353. And this bill  
15 would remove the \$300 million cap in the Oil Trust Fund  
16 and Ms. Pemberton another presentation.

17 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Thank  
18 you, Madam Chair and Commissioners. Yes. This item  
19 recommends that the Commission support AB 353 by Assembly  
20 Member O'Donnell There's currently an oil trust fund with  
21 a cap of \$300 million. The purpose of the fund is to  
22 support the State's share of abandonment liability even  
23 the Long Beach oil's operation end. The State's share is  
24 established through contracts. And when the Oil Trust  
25 Fund was set up many years ago, it was thought that 300

1 million would be -- was needed to fund the State's  
2 liability. The estimates and the cost have since grown to  
3 an approximately \$900 million abandonment cost for the  
4 State's share of liability, which leaves us 600 million or  
5 so shortfall.

6           What this bill would do is resume monthly \$2  
7 million deposits into the Trust Fund to build it back up  
8 to hopefully a point where it's commensurate with the  
9 State's share of liability when the oil operations end.  
10 It would also allow the interest generated from that fund,  
11 rather than going into the general fund, to go back into  
12 the fund to further grow -- to further grow the fund. And  
13 this would just be a lot more beneficial and a much wiser  
14 process than waiting until the date when the oil  
15 operations end and having to ask for an appropriation of  
16 600 million or something along those lines.

17           I also wanted to mention that the \$2 million  
18 dollar deposits is revenue that is generated from the Long  
19 Beach oil and gas operations that normally go into the  
20 general fund from the State's share. So the idea is to  
21 divert two million of that per month back into the Oil  
22 Trust Fund to build it back up.

23           The bill was approved unanimously in the Assembly  
24 Natural Resources Committee earlier this year and also by  
25 the full Assembly and is awaiting a hearing in the Senate

1 Natural Resources and Water Committee. It has no  
2 opposition and it's supported by the City of Long Beach.  
3 And staff recommends that the Commission take a support  
4 position on AB 353.

5 Thank you.

6 CHAIRPERSON YEE: Great. Thank you very much,  
7 Sheri. Really appreciate this bill as well to really plan  
8 ahead, so that we are not assuming a more substantial  
9 liability at the time when the oil operations end. So  
10 appreciate that foresight.

11 Any questions or comments by commissioners on  
12 this measure?

13 ACTING COMMISSIONER DURLAO: (Shakes head).

14 ACTING COMMISSIONER MILLER: (Shakes head).

15 CHAIRPERSON YEE: Okay. Seeing none.

16 Katie, let me see if there are members of the  
17 public who wish to address the Commission on this item.  
18 If anyone wishes to comment on Item 53, please raise your  
19 Zoom hand now.

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

23 CHAIRPERSON YEE: All right. Very well. Thank  
24 you very much. Seeing none, is there a motion on this  
25 item?

1 I will -- I'll move to adopt staff recommendation  
2 on this item.

3 Is there a second?

4 ACTING COMMISSIONER DURLAO: I will second that  
5 motion.

6 CHAIRPERSON YEE: Thank you, Commissioner Durlao.  
7 We have a motion and a second. Ms. Lucchesi, please call  
8 the roll.

9 EXECUTIVE OFFICER LUCCHESI: Commissioner Durlao?

10 ACTING COMMISSIONER DURLAO: Aye.

11 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

12 ACTING COMMISSIONER MILLER: Abstain, please.

13 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

14 CHAIRPERSON YEE: Aye.

15 EXECUTIVE OFFICER LUCCHESI: The motion passes  
16 two to zero with one abstention.

17 CHAIRPERSON YEE: Great. Thank you very much.

18 Ms. Lucchesi, what is our next order of business?

19 CHAIRPERSON YEE: Our next order of business is  
20 our second public comment period.

21 CHAIRPERSON YEE: All right. Great. Thank you.  
22 So, at this point, if anyone wishes to address the  
23 Commission on any matter that is not on today's agenda,  
24 please raise your hand. You will have three minutes to do  
25 so. And, Katie, I'm going to ask you to call the first

1 person who would like to make a public comment.

2 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank  
3 you, Madam Chair. At this time, we have no hands raised  
4 to provide public comment.

5 CHAIRPERSON YEE: Okay. That concludes our  
6 second public comment period.

7 Do any of the commissioners have any comments or  
8 questions at this time?

9 COMMISSIONER DUMLAO: (Shakes head).

10 COMMISSIONER MILLER: (Shakes head).

11 CHAIRPERSON YEE: Okay. Seeing none.

12 Ms. Lucchesi, our next order of business.

13 EXECUTIVE OFFICER LUCCHESI: Our next order of  
14 business is closed session. We will be conducting our  
15 closed session by conference call. Commissioners, please  
16 email me or call my cell phone if need the call-in  
17 information. For the commissioners and staff  
18 participating in closed session, upon adjournment, please  
19 mute your microphone, turn off your webcam, and if  
20 possible, go into a different room. This will ensure  
21 confidentiality of our discussions.

22 CHAIRPERSON YEE: Great. Thank you very much.  
23 Thank you, Ms. Lucchesi. We will now adjourn into closed  
24 session.

25 (Off record: 3:14 p.m.)

1           (Thereupon the meeting recessed  
2           into closed session.)

3           (Thereupon the meeting reconvened  
4           open session.)

5           (On record: 4:01 p.m.)

6           CHAIRPERSON YEE: Great. Thanks, everyone for  
7 your patience. We are -- I now call this meeting back to  
8 order. Ms. Lucchesi, is there anything to report from  
9 closed session?

10           EXECUTIVE OFFICER LUCCHESI: No.

11           CHAIRPERSON YEE: Very well. Thank you.

12           Commissioners, thank you very much. That  
13 concludes the open meeting and we are hereby adjourned.  
14 Thank you very much, everyone.

15           (Thereupon the California State Lands  
16 Commission meeting adjourned at 4:01 p.m.)

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CERTIFICATE OF REPORTER

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

That I am a disinterested person herein; that the foregoing California State Lands Commission videoconference 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 17th day of March, 2022.



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