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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<td>II Public Comment</td>
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<td>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.</td>
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<td>III Confirmation of Minutes for the December 8, 2021 meeting</td>
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<td>IV Executive Officer's Report</td>
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<td>Continuation of Rent Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:</td>
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<td>- 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)</td>
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<td>Tomales Bay Assignment Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:</td>
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<td>- No items for this section</td>
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<td>V Consent Calendar 01-48</td>
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<td>The following items are considered to be noncontroversial and are subject to change at any time up to the date of the meeting.</td>
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Land Management
Northern Region

J&K COURT REPORTING, LLC  916.476.3171
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<td>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)</td>
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<td>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)</td>
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<td>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)</td>
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<td>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</td>
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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 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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<td>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)</td>
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<td>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)</td>
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<td>11</td>
<td>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)</td>
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<td>12</td>
<td>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)</td>
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<td>13</td>
<td>GARY ROBERT NAGLE AND VIRGINIA LAURAINE NAGLE, AS TRUSTEES OF THE NAGLE LIVING TRUST DATED OCTOBER 18,</td>
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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)
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/SUBLESSOR) 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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<td>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)</td>
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| 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) | 21 |

Bay/Delta Region

| 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) | 22 |
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
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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<td>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)</td>
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<td>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)</td>
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<td>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)</td>
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<td>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)</td>
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<td>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,</td>
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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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<td>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)</td>
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<td>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)</td>
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<td>38</td>
<td>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)</td>
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<td>39</td>
<td>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)</td>
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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
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
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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<td>district established in 2002. CEQA Consideration: not a project. (A 5; S 8) (Staff: J. Mattox, S. Meshkati)</td>
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<td>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)</td>
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<td>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 &amp; S: Statewide) (Staff: R. Collins, K. Foster)</td>
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<td>51 CALIFORNIA STATE LANDS COMMISSION: Discussion and possible action on state legislation relevant to the California State Lands Commission. CEQA Consideration: not applicable. (A &amp; S: Statewide) (Staff: S. Pemberton)</td>
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<td>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 &amp; S: Statewide) (Staff: S. Pemberton)</td>
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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)  

VIII Public Comment  

IX Commissioners' Comments  

X Closed Session  

At any time during the meeting the Commission may meet in a session of Government Code section 11126, part of the Bagley-Keene Open Meeting Act.  

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:  

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<td>In re: EHT US1, Inc. et al.</td>
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<td>Owens Valley Committee v. City of Los Angeles, Los Angeles Department of Water and Power, et al.</td>
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<td>San Francisco Baykeeper, Inc. v. State Lands Commission</td>
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<td>San Joaquin River Exchange Contractors Water Authority v. State of California; State Lands Commission</td>
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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.
C. Other matters

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

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PROCEEDINGS

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

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

EXECUTIVE OFFICER LUCCHESI: Certainly.

Lieutenant Governor Eleni Kounalakis?

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

COMMISSIONER KOUNALAKIS: Oh. Can you hear me now?

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON YEE: Yes.

COMMISSIONER KOUNALAKIS: Oh, I'm sorry.

Present.

EXECUTIVE OFFICER LUCCHESI: Thank you.

State Controller Betty Yee?

CHAIRPERSON YEE: Here.

EXECUTIVE OFFICER LUCCHESI: And for the record, Commissioner alternate Gayle Miller is not present, but we do anticipate her coming to this meeting in about 15 minutes.
CHAIRPERSON YEE: Great. Very well. Thank you.

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

CHAIRPERSON YEE: Thank you very much.

For the benefit of those joining us virtually, the State Lands Commission manages State property interests in over five million acres of land including mineral interests. The Commission also has responsibility for the prevention of oil spills at marine oil terminals, and offshore oil platforms, and for preventing the introduction of marine invasive species into California's marine waters. Today, we will hear requests and presentations involving the lands and resources within the Commission's jurisdiction. We recognize that the lands we manage have been inhabited for thousands of years by California's native people and take seriously our trust relationship with these sovereign governments.
I want to take a moment to honor the California Native American communities all across the state for persisting, carrying on diverse cultural and linguistic traditions and sustainably managing the land that we now share. Native people have maintained a constant presence on the landscape for many thousands of years and they are essential stewardship partners, whether along the coast, along our rivers and valleys, or in our fragile deserts.

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

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

Ms. Lucchesi.

EXECUTIVE OFFICER LUCCHESI: Thank you, Chair Yee.

First, everyone, please make sure you have your microphones or phones muted to avoid background noise.
For members of the public, if you would like to speak either during our public -- open public comment period or during a public comment period that is part of an agenda item, you will need to do so in one of two ways.

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

If you emailed us with a request to speak, please also raise your hand so we don't inadvertently miss you. We will call on individuals who have raised their hands or registered their names with us in the order that they are raised or in the order that they submitted their names to us by email, or -- and we will use the name that you registered with, or we will use the last three digits of your identifying phone number. After you are called on,
you will be unmuted, so that you can share your comments. Please also remember to unmute your computer or phone and identify yourself.

Remember, you have a limit of three minutes to speak on an item. Please keep your comments respectful and focused. We will mute anyone who fails to follow those guidelines or at worst dismiss them from the meeting. The commission has also established an email address to compile public comments for our meetings. Its address is cs1c.commissionmeetings@slc.ca.gov. We have received numerous emails from parties that have been shared with all the Commissioners prior to the meeting. They will -- these emails will be made available on our website. And if we receive any emails during the meeting, they will with be shared with the Commissioners and available on our website after the meeting today.

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

CHAIRPERSON YEE: Thank you very much, Ms. Lucchesi. Let's proceed to our next order of business, which is the public comment period. If anyone wants to address the Commission on any item -- any matter not on today's agenda, please raise your hand and you will have three minutes to do so.
Katie, please call the first person who would like to make a public comment.

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

CHAIRPERSON YEE: Good afternoon, Susan.

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

CHAIRPERSON YEE: Yes. Yes.

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

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

Suddenly this past week, just three weeks before Poseidon was to be heard at the Coastal Commission, Poseidon announced that the desalination plant was going to be powered entirely by a hundred percent renewable energy via a partnership with the somewhat troubled Orange
County Power Authority. That would be nice, if it were true, but it's not. The MOU Poseidon so grandly waved around is not worth the paper it's written on and it does not require Poseidon to purchase even one dollar's worth of renewable energy from the OC Power Authority or anyone else for that matter.

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

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

We maintain that both the Coastal Commission and the State Lands Commission should jointly require the project to commit to true 100 percent renewable energy as a condition of their 50-year permit and their lease, and that such renewable energy must be sourced at the local level where the emissions would directly affect...
the surrounding community in the Los Angeles Basin.

    Thank you very much.

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

    Katie, our next speaker.

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

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

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

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

    CHAIRPERSON YEE: Thank you very much.

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

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

MR. VAN DE HOEK: Hello.

CHAIRPERSON YEE: Yes. Good afternoon, Robert.

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

Hi. Yes. Good afternoon, Betty Yee, President of Coast -- State Lands Commission. And my name is Roy van de Hoek. My full name is Robert Jan van de Hoek. And during my, oh, 45 years of public service starting with the State of California at the University, Cal State Northridge, I helped a assist disabled students with van service from their home to the school. And then from there, after getting my degree, I worked in the federal government as an archaeologist, hydrologic technician, and wildlife biologist, first, in the Depart -- U.S. Department of Agriculture, U.S. Forest Service, and then in the U.S. Department of Interior, and the Bureau of Land
Management, and then in LA County for several decades. During this time, I've had an opportunity to visit many lands that the State Lands Commission owns, manages, is the steward of. And some of those -- one of those, as an example, was in eastern San Luis Obispo County on Caliente Mountain is one of those Sections 16 and 36 properties that the State got -- State received from the federal government at the beginning of statehood. And I discovered there it was surrounded by federal land. So I somewhat -- we had a responsibility to help manage it, because it was a wilderness study area also. And I discovered during that time that I don't think the federal government was very good at managing State Lands. And I never found any reports that indicated what the resources were that the State Lands Commission had at that particular property.

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

And I also found, during my time visiting Lake Tahoe, private property signs preventing me from accessing
the lakeshore. And when I would go there with my sister and -- that was disappointing, and her children to see lands -- what I knew were State Lands Commission, but you gave some of those lands to private entities to take care of or caretake for you.

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

Thank you.

CHAIRPERSON YEE: Thank you, very much Roy.

Katie, our next speaker, please.

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

MS. CUMMING: Good afternoon.

CHAIRPERSON YEE: Good afternoon, Suzanne.

MS. CUMMING: Honorable Commissioners, I'm a member of Sierra Club and Defend Ballona. And I'm asking you to drop the bulldozing project in the Ballona Wetlands and support the nature-based alternatives. This bulldozing project is designed, so that it would lead to a conversion of critical marsh habitat to mudflat and
subtidal habitat over time due to sea level rise. The mid-
to high elevation marsh will convert to low elevation
marsh. This is because the sea levels increases, the
relative elevation of habitat to sea level decreases.

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

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

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

Please support decertification of the flawed EIR
and support the 20-point plan and nature-based solution.
Thank you so much.

CHAIRPERSON YEE: Thank very much, Suzanne.

Katie, our next speaker, please.

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

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

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

This is -- they also have another visitor's center site in the same wetlands, so they don't need two. What we -- what we're facing is very similar to what the Ballona Wetlands people are facing. It's erase and replace concept with restoration with plenty of public access, but not much preservation and definitely not
restoration. This area too is subject to not only sea
level rise, but Tsunamis and earthquakes. And it is -- it
is degraded. There was oil drilling. There was ranching,
but it is a sacred site listed on the Native American
Heritage Commission's list of sacred sites, as Puvungna
and the Village of (inaudible). And it is also a remnant
of historic wetlands.

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

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

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

EXECUTIVE OFFICER LUCCHESI: Chair Yee?

CHAIRPERSON YEE: Yes.

EXECUTIVE OFFICER LUCCHESI: If I may?

CHAIRPERSON YEE: Yes.

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

CHAIRPERSON YEE: Great. Thank you very much.

Welcome, Commissioner Miller.

All right. Katie, we will return back to you.

Our next speaker, please.

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

MR. FINN: Good afternoon. I want to thank you for your public service. I'm a senior citizen and I'm calling today in public comment about Treasure Island. In 2014, the agreement between the State Lands Commission and Treasure Island Development Authority -- I request that the State Lands Commission reviews the agreement, because the City and County of San Francisco has created these separate legal entities. And I believe they're not living up to the 2014 agreement to have clear title and to allow residential development and enhanced -- because the
agreement was to enhance public access too. And they're planning, via the Treasure Island Mobility Management Agency, which is a separate legal entity, which actually is the San Francisco Board of Supervisors, and the San Francisco County Transportation Authority, they're planning on a March 8th vote to approve this proposed $10 toll to enter and leave Treasure Island, which will, in effect, make it a gated community. It's $5 each way.

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

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

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

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

Katie Our next speaker.

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

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

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

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

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

The Treasure Island toll proposal violates the terms of the City and County of San Francisco's 2014 agreement with the State Lands Commission. It is in
conflict with the Final Environmental Impact Report submitted by the City and County of San Francisco, which was relied upon for the exchange.

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

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

I would hope that this Commission, which has a staff and a budget, unlike myself, will take some type of action to prevent the City and County of San Francisco from imposing this toll on everybody in the state who wants to access the tidelands on Treasure Island to access the Bay. It is a violation of the agreement and it's a violation of their public trustee's duties. I don't know if I'm being naive in thinking that coming to these meetings might get the attention of the Commissioners, but I am aware that the staff, including Ms. Sheri Pemberton
had been made aware of this, as well as some of you sit on
the BCDC Commission. And we are blue in the face trying
to explain why this toll proposal is contrary to the State
Land Trust's mission and the agreement.

Thank you very much.

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

Katie, our next speaker.

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

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

No community deserves to have a gas facility, as
dangerous as this one, in their backyard. We know that
fossil fuel infrastructure like this facility is damaging
to the health of the surrounding community, the wetlands,
and it's destroying our climate and putting our residents
at risk of another disaster like Aliso Canyon. The longer
we delay developing a transition plan for this facility,
the less opportunity we have to ensure this safe, reliable, and equitable path forward for communities, workers, and the environment.

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

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

So thank you so much for your time.
CHAIRPERSON YEE: Thank you very much, Alexandra for your comments.

Katie, our next speaker.

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

CHAIRPERSON YEE: Andrew, good afternoon.

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

CHAIRPERSON YEE: Yes, we can. Thank you.

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

I wanted to second some of the opinions that have already been expressed here regarding Treasure Island. I'm the President of the San Francisco Board Sailing Association, fourth generation San Franciscan and I'm very familiar with the long history of the city's dealing regarding this property. And I think what's important for the Commission to understand is that technically nothing has happened yet to trigger a regulatory response, because there is -- in fact, no agency has voted on or done anything that is in conflict within any of the agreements that are governed by either the BCDC or the State Lands Commission.
And that's because Willie Brown created this
State Agency that has no relationship to the State Lands
Commission or the BCDC, TIMMA. And TIMMA is pushing this
proposal as far down stream as they can without triggering
any regulatory response. And it's pretty clear to us,
those who've been trying in good faith to work with the
City on this -- and our organization has been working for
22 years with the City, and we've written multiple letters
to the Governors -- various Governors supporting State
funding being used to improve access to the island,
because we had a clear agreement with the City, which is
they would maintain free -- maintain and improve free
access to the tidelands and the vistas of Yerba Buena as
it is explicitly defined in every single agreement the
City has to obtain the land.

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

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

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

Thank you very much.

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

Katie, our next speaker.

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

MS. McPHerson: Sorry. I was waiting for you.

(Laughter.)

MS. McPHerson: Wrongly.

Hello, everyone. Thank you for hearing us. I
would like to support what Alex Nagy, Food and Water Watch
had to say. Wholeheartedly agree with all of that. I also would like to remind you in the background that Ballona Wetlands is a predominantly seasonal freshwater wetland with multiple underlying freshwater aquifers that are classified by the Water Board as potential drinking water.

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

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

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

CHAIRPERSON YEE: Thank you very much, Patricia
for your comments.

    Katie, our next speaker.

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

CHAIRPERSON YEE: Good afternoon, Britney.

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

CHAIRPERSON YEE: Yes. Good afternoon.

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

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

Katie, next speaker, please.

ENVIRONMENTAL SCIENTIST ROBINSON-FI LIPP: Our next speaker is Alexandra Austin.

CHAIRPERSON YEE: Good afternoon, Alexandra.

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

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

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

CHAIRPERSON YEE: Thank you.

Katie, any other speakers for public comment?

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

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

Why don't we move to our next item of business, which is the adoption of the minutes from the Commission's
meeting of December 8th, 2021. May I have a motion to approve the minutes.

ACTING COMMISSIONER MILLER: So moved.
COMMISSIONER KOUNALAKIS: So moved.

Sorry.

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

Ms. Lucchesi, please call the roll.

EXECUTIVE OFFICER LUCCHESI: Certainly.
Commissioner Kounalakis?

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

ACTING COMMISSIONER MILLER: Aye.
EXECUTIVE OFFICER LUCCHESI: Chair Yee?

CHAIRPERSON YEE: Aye.
EXECUTIVE OFFICER LUCCHESI: The motion passes unanimously.

CHAIRPERSON YEE: Great. Thank you very much.

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

EXECUTIVE OFFICER LUCCHESI: Great. Thank you, Chair. I'll be updating the Commission and members of the public on a couple of different items in my report today,
one being the State budget, a couple of oil incidences --
offshore oil incidences that happened towards the end of
last year, an update on our Platform Holly and Piers 421
decommissioning project, and the Ballona Wetlands and
surrounding lands in the Commission's jurisdiction in that
area.

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

The third is a little over $2 million one-time
general fund appropriation to facilitate removal of the
deteriorated infrastructure at the Crockett waterfront to
improve public access and protect public health and
safety.
And the fourth is a $1.625 million general fund appropriation and a $2.65 million reimbursement authority, excuse me, to accept the state's cost-sharing contributions for the preliminary plans phase of the remedial action plan at Selby Slag. Selby Slag is a 66-acre site adjacent to the San Francisco Bay Area in Contra Costa County, where the Commission, the Department of Toxic Substances Control, and others are facilitating the remediation of heavy metal contamination on the site.

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

Next, I want to update the Commission on the pipeline 0919 incident. This is the Platform Eva to shore pipeline that occurred on December 22nd. So on December 22nd, DCOR, a Commission lessee and operator of multiple offshore oil and gas operations reported a sheen off the coast of Orange County. An investigation found that pipeline 0919, which transports oil from State Platform Eva to shore was the source of the discharge.
In accordance with our regulations and at the direction of Commission staff, DCOR immediately suspended operations at the platform. Staff has worked closely with other regulators, including the State Fire Marshal throughout the initial spill response, including identification and repair of the damaged portion of the pipeline.

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

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

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

Next I want to update the Commission on the pipeline P00547 incident. This is the Southern California oil spill that occurred in October. So as you know, the U.S. Coast Guard in October last year received of a report of an oil sheen off the coast of New -- of Orange County. A unified command composed of the Coast Guard, OSPR, Amplify Energy, Orange County and San Diego County was established. On February 2nd of this year, the unified command has ended response efforts for the incident. According to the unified command, the last tarball was received on January 4th and no incident of oil was observed above cleanup endpoints during the transition period. The pipeline remains shut down and the Pipeline Hazardous Materials Safety Administration, approved by Amplify -- approved Amplify's proposed pipeline repair and flushing procedure.
A Natural Resource Damage Assessment is in process to determine the appropriate type and amount of restoration needed to offset the impacts to fisheries, wildlife, habitat, and human uses impacted by the spill.

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

Now, I want to update the Commission on the Platform Holly and the Piers 421 decommissioning project. Staff continues to maintain and monitor Platform Holly and the onshore facilities to ensure public health and safety. Staff, Exxon, and their subcontractors continue to plug and abandon wells on the platform and have completed three of the 30 wells. Eight of the remaining 27 wells that require more involved abandonment procedure have been prepared for abandonment operations. Once preparation is finalized for these wells, the final abandonment will proceed for this group and preparation will start on the next batch of wells. Staff continues to estimate that the remaining well abandonment work will take another 10 to 12 months.
Natural seep activity continues in and around the Platform Holly and the Ellwood offshore field. Heavy seep activity in recent calm sea conditions have resulted in an oil sheen being visible regularly in the vicinity of the platform over the past few months. Seep activity is reported daily and shows no correlation with the platform or abandonment operations. And in January, staff released the Draft EIR for the Piers 421 caisson and pier removal project, and we have since conducted two scoping meetings.

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

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

(Thereupon a slide presentation.)

EXECUTIVE OFFICER LUCCHESI: As Phil is bringing that up, I'll talk a little bit about the Commission's interests in this area. The Commission's ownership interests in the vicinity of the Ballona Wetlands consists of two parcels along Jefferson and Lincoln Boulevards, known as the expanded wetlands in the freshwater marsh.
The Commission acquired the 24-acre expanded wetlands in 2004 and leases it to the California Department of Fish and Wildlife. We issued that lease in 2005 for the management inclusion in the approximately 562-acre CDFW ecological reserve.

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

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

CDFW recently proposed a restoration of Ballona including enhancement, public access improvements, and creation of additional wetland and upland habitat in the ecological reserve, including the Commission-owned expanded wetlands parcel. This parcel -- project area excludes the freshwater marsh. After Fish and Wildlife
certified the EIR, a lawsuit challenging it was filed in early 2021 and is ongoing.

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

While the controversial University Syndicate Well is within the footprint of the freshwater marsh, it was abandoned in 2001. There has been a lot of concern expressed about the appearance of gas bubbles in the marsh near the University Syndicate Well. However based on the evidence that we are aware of, Ballona's marshy location is subject to natural gas seeps. And prior claims that the -- this well has been leaking have -- the evidence has not supported that conclusion based on investigations.
With that said, the Commission does not control the oil and gas operations in the area, because it only took surface ownership subject to existing uses and we do not own the minerals on behalf of the State. The Commission is not the relevant regulatory agency with jurisdiction over the oil and gas operations at this site and did not issue any kind of permits for the abandonment of the University Syndicate well. That is all covered primarily under CalGEM and -- with some other regulatory authority with the Public Utilities Commission.

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

Charles was a founding member of the Amigos de Bolsa Chica, a non-profit dedicated to the acquisition, restoration, and preservation of the Bolsa Chica wetlands in Huntington Beach. Through the 1970s to the late 1990's, the nearly 2000-acre wetlands habitat was
threatened with destruction by the proposal of several large development projects. Charles and other members of the Amigos spent countless hours of personal time over nearly 30 years, gaining the support of local residents, county board of supervisors, city councils, State Legislature, and Congress to preserve the wetlands.

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

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

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

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

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

Thank you.

CHAIRPERSON YEE: Thank you very much, Ms. Lucchesi. First, let me just extend the Commission's condolences to the families of Charles and Lance. And for anyone who has not had the opportunity to experience the
Bolsa Chica Ecological Reserve, I think I can say without a doubt that their memories will be for a blessing always, and their work, and life, and commitment to this project will continue to inspire. So I just wanted to offer that.

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

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

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

DR. GRISWOLD: Hello.

CHAIRPERSON YEE: Good afternoon, yes.

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

We are asking the Commission for help in gathering groundwater pumping data that would affect the State Lands Commission expanded wetland parcel within the Ballona Wetlands Ecological Reserve. I want to
acknowledge that the land which encompasses the Ballona Wetlands Ecological Reserve is part of the unceded territory of the Tongva Gabrielino people. And the Tongva called the Ballona, "It is Filled with Water", and that would be fresh water.

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

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

And there are data gaps for groundwater pumping that aren't known and we would like help to find out how much cumulatively Playa Vista development is pumping for their methane gas detention -- detection mitigation system, the amount of water being wasted by such
groundwater pumping, since it is known that the
development routinely dumps pumped groundwater into the
Ballona flood control channel via the freshwater marsh.
This wasting is unknown in amount and affects the State
Lands' parcel to the west of the freshwater marsh as well
as the entire Ballona Ecological Reserve.

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

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

Thank you.

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

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

CHAIRPERSON YEE: Good afternoon, Marcia.

MS. HANSCOM: Thank you. Honorable,
Commissioners. Marcia Hanscom. I'm on the Executive Committee of the Angeles Chapter of Sierra Club and Chair of the Club's Ballona Wetlands Committee. I also used to be the -- once upon a time, 20 years ago, the Chair of the Bolsa Chica Task Force, so I do appreciate all the work the State Lands Commission did for Bolsa Chica and continues to.

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

But suffice it to say, it's clear staff is letting you know about the restrictions the State Lands Commission has in terms of what you can do at Ballona, what your responsibilities and authorities are. We also know of and are grateful for your deep commitment of -- on this Commission and your staff to help ameliorate the terrible impacts of climate change, especially sea level rise, that are going to be visiting us very soon.
The methane gas storage facility that stores gas piped in from Oklahoma and Texas after that gas was fracked from the earth is contributing to climate change and it needs to be shut down. The fact the State Lands Commission owns land where this facility stores gas beneath the surface is enough of a link for you to be concerned.

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

In fact, that project will add negative impacts to climate change when the Governor has publicly supported nature based solutions to climate change. That would mean leave the soils intact, leave the wetlands in tact, leave the thousands of trees and shrubbery in tact, and not destroy hundreds of acres of habitat that would actually -- that activity would actually release methane
gas -- more gas into the greenhouse gases into the atmosphere. We don't have the time or the luxury of using this fragile and imperiled habitat as a scientific experiment. Please help us. We know you care.

    Thank you.

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

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

CHAIRPERSON YEE: Good afternoon, Jane.

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

CHAIRPERSON YEE: Yes, we can.

MS. VELEZ-MITCHELL: Oh, wonderful.

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

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

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

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

The claim that this area is dying is nonsense. I see wildlife on a daily basis. That's why I'm speaking here passionately. The other day I saw 26 pelicans at the
mouth of the wetlands. Again, they have nowhere else to
go. There are time-stamped photos of hundreds of rare
species at the wetlands, which you can study at
defendballonawetlands.org. California Department of Fish
and Wildlife has neglected the area. I live in the area.
I see it.

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

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

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

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

Thank you.

CHAIRPERSON YEE: Thank you, Jane, very much for
your testimony.

Katie, next speaker, please.

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

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

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

Thank you and I yield my time.

CHAIRPERSON YE: Thank you very much, Alexandra. Katie, our next speaker, please.

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

CHAIRPERSON YE: Hello, Roy, Can you hear us?

MR. VAN DE HOEK: I can here you and I'm trying to get my video going, but I don't think that's going to
work like it did on the general public comment. But -- it has a red line through the start the video, but that's okay. I don't need to be seen.

Okay. I'm ready to start.

CHAIRPERSON YEE: We can hear you.

MR. VAN DE HOEK: Okay. Thank you.

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

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

I'd just like to add that it's time to ask for a
genetic study, like a fingerprint study of the gas so when we know it's coming from Oklahoma or Wyoming, you can -- you can actually have real good knowledge and give you a good data set, and close up the data gaps of just being vague.

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

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

And the Ballona Wetlands Conservancy is infiltrated by the gas company and SoCal -- and Edison corporations. Utility companies have infiltrated your Conservancy that has been established. And one of the groups called the Friends of Ballona Wetlands is actually run and dominated by the corporations I mentioned, gas
company Sempra and Edison. And the university reports are not independent university studies that you're getting, because they're biased towards having a gain financially at the universities and their scientists.

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

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

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

CHAIRPERSON YEE: Okay. Hello, Patricia.

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

There is a need for the State Lands Commission to actively participate in this Public Trust. It's a Public Trust land oversight capacities of the freshwater marsh
system. The Playa Vista management, upon which SLC has relied, is, according to the 2006 stipulated judgment of the Coastal Commission settlement agreement between Playa Vista, City of LA, Friends of Ballona, is the Ballona Foundation. That note does not exist. It was never actually consummated.

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

Also, this -- Playa Vista has demonstrated that it is not a helpful management entity for the site. And in 2005, when the Fish and Game Commission was discussing whether to keep the ecological reserve in the reserve or keep it out of the reserve, it was only decided that we would allow Playa Vista to maintain oversight and at a later time we can come back and revisit this situation. We would like to see it revisited, because Playa Vista has had illegal drains on the site for 20 years that the Coastal Commission stated they violated the Coastal Act by harming the hydrology of Ballona and its ecology.
We have a CDFW letter from Betty Courtney in 2017 also citing that Playa Vista has harmed the hydrology of the freshwater marsh system. We have NPDES permits that have been rejected by the Water Board to Playa Vista for them trying to send the water to the sanitary sewer.

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

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

CHAIRPERSON YEE: Thank you, Patricia.

Katie, our next speaker, please.

ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank you, Madam Chair. At this time, we have no other hands raised to provide public comment.
CHAIRPERSON YEE: Okay. Thank you very much. Let me just turn to Ms. Lucchesi to see if there's any further comment on this item.

EXECUTIVE OFFICER LUCCHESI: Not on my end.

Thank you, Chair.

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

Commissioners, anything else on Item 4? All right. Very well. Thank you.

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

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

EXECUTIVE OFFICER LUCCHESI: Yes. Consent items 9 and 47 have been removed from the agenda and will be considered at a later time. Additionally, through the Chair, I would like to request that the consent agenda be taken up in two separate votes. The first for consent items 1 through 31 and 33 through 46 with the exceptions of items 9 and 47, which have been removed. We can then take up consent item 32. This will allow any of the commissioners to abstain, if they wish to do so.
CHAIRPERSON YEE: Very well. Thank you. Let me see if we -- first, is there anyone joining us virtually who wishes to speak on any item on the consent calendar, at this time, Katie. If so, we ask that you please raise your Zoom hand or dial nine, if joining by phone now.

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

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

COMMISSIONER KOUNALAKIS: So moved.

ACTING COMMISSIONER MILLER: Second.

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

Ms. Lucchesi, please call the roll.

EXECUTIVE OFFICER LUCCHESI: Certainly.

Commissioner Kounalakis?

COMMISSIONER KOUNALAKIS: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Aye.

EXECUTIVE OFFICER LUCCHESI: Chair Yee?

CHAIRPERSON YEE: Aye.
EXECUTIVE OFFICER LUCCHESI: The motion passes unanimously.

CHAIRPERSON YEE: Thank you very much. Now, may I have a motion to adopt the consent agenda item 32?

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

CHAIRPERSON YEE: Okay. We have a motion by Commission Miller. I will second that motion. Ms. Lucchesi, please call the roll.

EXECUTIVE OFFICER LUCCHESI: Certainly. Commissioner Kounalakis?

COMMISSIONER KOUNALAKIS: Abstain.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Aye.

EXECUTIVE OFFICER LUCCHESI: Chair Yee?

CHAIRPERSON YEE: Aye.

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

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

Item 48 relates to the authorization of a temporary moratorium on considering mineral prospecting permits and lease applications on 480 acres of reserve
federal interest school lands in Mono County.

May we have the presentation.

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

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

(Thereupon a slide presentation.)

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

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

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

SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX: And while that's being cued up, I'll go ahead introduce myself. I'm Jennifer Mattox. I am the Commission's Tribal Liaison. And I'm here today to present hopefully and item everybody can feel pretty good about. This is Item 48. There's three parts to this item, supporting an archaeological district nomination, a temporary moratorium on applications to con -- and directing staff to conduct a needs assessment.
This parcel that we're talking about is 100 percent reserved mineral interests parcel in Bodie Hills area of Mono County.

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SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

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

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

It was listed due to the presence of significant archaeological sites and features that demonstrate continuous human presence for over 8,000 years. The parcel additionally holds great potential for other future scientific research endeavors.
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SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:
A little bit of history of this parcel. Once again, a reminder that what we look at, applications that come to us, would concern mineral prospecting or mineral development as we are 100 percent reserve mineral interest owner. So we've had a lot of interest over the years and those are summarized here, but we've never authorized development.

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

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SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:
I'll give a little bit of history. And then following this presentation, we have some speakers that
are intimately involved in the archaeological district listing. So just as a really quick summary, the district right now is a little over 3,300 acres of federal land. It's a really unique area. It's supported with really rich plant and animal life due to the reliability of water sources. There's some seeps and springs and two creeks. And, you know, otherwise, this landscape is pretty dry.

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

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

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

Next slide, please.

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SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

And to our recommendation. So due to these concerns raised by the tribe and the surface landowner, and in consideration of the significant cultural and archaeological values associated with this parcel, staff recommends that at this time, you authorize a three-year temporary moratorium on lease applications or other permit applications. And that would allow staff time to conduct a thorough analysis of the parcel to determine the most suitable future use for this parcel, given the potential conflict between the cultural significance on the one hand and our revenue generation responsibilities on school lands on the other hand.
In addition, we are recommending that you adopt a resolution supporting the inclusion of the parcel on the National Register, in keeping -- and that's keeping with our commitments to protecting cultural heritage, and in recognition of State policy as well. We really urge you to recognize the value and rich history of Native American habitation in this area, since time immemorial.

And that concludes my presentation.

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

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

ACTING COMMISSIONER DUMLAO: Good afternoon. Thank you very much.

CHAIRPERSON YEE: Thank you.

Any questions Commissioner Miller, Commissioner dumlao?

ACTING COMMISSIONER MILLER: Just a brief statement. Ms. Mattox, that was a fantastic presentation.
And I'm just struck by the 5,000 year old seeds. Like I think it just is so telling about that -- we're really borrowing this time on earth than to be able to have this small impact. And the work you've done indeed is incredibly special. And I just really appreciate learning from you. So thank you very much.

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

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

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

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

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

EXECUTIVE OFFICER LUCCHESI: The Chairman may need to unmute on his end.
MS. BOLTON: You might have given it to me. I have the ability to unmute, not -- possibly not Herbert Glazier.

ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Okay.

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

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

BRIDGEPORT INDIAN COLONY GLAZIER: Hello.

CHAIRPERSON YEE: Yes, is this Chairman Glazier?

BRIDGEPORT INDIAN COLONY GLAZIER: Yes, it is.

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

BRIDGEPORT INDIAN COLONY GLAZIER: Yes.

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

BRIDGEPORT INDIAN COLONY GLAZIER: Yes. And I want to thank you, Madam Chairman for letting me speak.
Jennifer, gosh, you hit every highlight that I have to say. But I just want to concur with her and reinforce the -- to urge you guys to follow through with your recommendations there. And as far as the Bridgeport Indian Colony, this land in question, it's been, you know, by the tribes. It's not just Bridgeport Indian Colony tribe. There's five other reservations around here that this is sacred to. And it's just not us. And the studies, there have been archaeological studies going on. And they have all signs of -- it must have been a throughway back when for all the tribes going back and forth, north and south. And the studies have found onion blinds, rock rings, obsidian, game corrals in this area up there. So that's why the tribes really would like to leave it the way it is basically.

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

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

Thank you.

BRIDGEPORT INDIAN COLONY GLAZIER: Yes. Thank you.

CHAIRPERSON YEE: Katie, our next speaker, please.

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

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

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

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

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

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

EXECUTIVE OFFICER LUCCHESI: Katie, through the Chair, if there are no objections, maybe we can move on to
our next speaker.

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

Katie, our next speaker, please.

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

CHAIRPERSON YEE: Good afternoon, Alison.

MS. HARVEY: Here I am.

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

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

And the plant and food resources pretty much disappeared. Most of the people in the Great Basin either died or left. And we know this because there's an
absolutely blank material record -- archaeological record during that three and a half thousand year period. But that didn't happen on the Dry Lakes Plateau.

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

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

By -- the 3,500 years, that's 175 generations of people that were able to survive through that period. Paiute people still rely on this area. They're still
hunting and gathering in the area. And I can't speak for
them, but I know when they talk about this area, they're
speaking from their hearts. And if we can get Jeff
Hunewill on the line you'll hear the same reaction from
him.

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

Thank you.

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

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

MR. HUNEWILL: Hello.

CHAIRPERSON YEE: Hello, Mr. Hunewill.
MR. HUNEWILL: Hi. Yes.
CHAIRPERSON YEE: Great.

MR. HUNEWILL: Glad to be here.

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

Thank you for joining us.

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

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

And later that -- later that same day, we were looking around up there and we found the salt cliff. And on that cliff was -- were -- was some ancient rock
writing, the petroglyphs, I guess they're called up on the
Dry Lakes Plateau. And of course, there are -- from what
I understand, they're hundreds or even thousands of years
old. And so anyway, this is a really unique area and
seems to be that mining in this really special area would
not be right.

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

Thank you.

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

Katie, our next speak on this item.

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

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

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

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

Oh, there we go.

MS. BOLTON: So I'm here.
CHAIRPERSON YEE: Yes.

ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Yes.

Yes.

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

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

MS. BOLTON: Good afternoon, Commissioners

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

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

So it's also an important migration corridor for the Pronghorn and Mule Deer and -- but for me, a key interest is that the Bodie Hills is the stronghold of the
Bi-State Sage-Grouse. And that is the most stable population, largest population of the Bi-State Sage-Grouse in the entire range. It's -- it constitutes about 66 percent of the California population of Bi-State Sage Grouse. And that has been in decline -- serious decline over the last 50 years by 67 percent.

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

And it's also been just amazing that it has had the human occupation all through the holocene. And it's because it was a higher elevation and gets snow in winter and has -- it's become a climate refugia for thousands of years. And it is still today the climate refugia, whereas we go into climate change, it's going to continue to be. And that's pretty amazing. So it's a very important ecosystem it needs to be protected and not mined. An open pit mine would just be -- it's too sacred of an area to
destroy, and wipe out. So I fully support the mining withdrawal.

    Thank you.

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

Katie, our next speaker, please.

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

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

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

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

CHAIRPERSON YEE: Thank you, Commissioner Miller.

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

ACTING COMMISSIONER DUMLAO: And happy to second the motion.

CHAIRPERSON YEE: Thank you.

We have a motion by Commissioner Miller, second by Commissioner Dumlao.

Please call the roll, Ms. Lucchesi.

EXECUTIVE OFFICER LUCCHESI: Commissioner Dumlao?
ACTING COMMISSIONER DUMLAO: Aye.
EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?
ACTING COMMISSIONER MILLER: Aye.
EXECUTIVE OFFICER LUCCHESI: Chair Yee?
CHAIRPERSON YEE: Aye.
EXECUTIVE OFFICER LUCCHESI: The motion passes unanimously.
CHAIRPERSON YEE: Thank you very much. And let me just say to the staff thank you for just continuing to look for these, you know, just gems of so much of what has been a big part of our history and doing everything we can to preserve them going forward. Really appreciate the ongoing diligence with that.
Thank you.
Our next item is Item number 49 and that's to request delegation of authority for our Executive Officer to solicit statements of interest for our consultant services for the preparation of an environmental document and for studies necessary to implement an Abandoned and Derelict Vessel Removal Program. And these are for commercial vessel in the Sacramento-San Joaquin Delta.
I believe we have a presentation on this from Ms. Caldwell, yes?
Good afternoon.
(Thereupon a slide presentation.)
PUBLIC LAND MANAGER CALDWELL: Thank you, Commissioner. Good afternoon, Madam Chair, commissioners, and members of the public.

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

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

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

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

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

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

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PUBLIC LAND MANAGER CALDWELL: The first step is a CEQA analysis to assess the potential environmental impacts in the Delta associated with CADV abatement
activities. This will be a high level analysis examining the diversity of habitat and species that exist in the Delta as well as potential removal and disposal methods.

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

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

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

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

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

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

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

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

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

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

ACTING COMMISSIONER DUMLAO: None from me.

ACTING COMMISSIONER MILLER: (Shakes head.)

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

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

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

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

CHAIRPERSON YEE: Okay. Thank you, Commissioner Miller.

ACTING COMMISSIONER DUMLAO: And I second that
CHAIRPERSON YEE: Great. So we have a motion by Commissioner Miller, seconded by Commissioner Dumlao.

Ms. Lucchesi, please call the roll.

EXECUTIVE OFFICER LUCCHESI: Certainly.

Commissioner Dumlao?

ACTING COMMISSIONER DUMLAO: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Aye.

EXECUTIVE OFFICER LUCCHESI: Chair Yee?

CHAIRPERSON YEE: Aye.

EXECUTIVE OFFICER LUCCHESI: The motion passes unanimously.

CHAIRPERSON YEE: Great. Thank you so much.

Thank you. We will now move to Item 50, which is to request designation of authority for the Executive Officer to solicit statements of interest for professional real estate broker services. And this is to assist in our -- with our real estate property acquisitions utilizing the School Land Bank Fund. And I believe we have a presentation by Mr. Foster. Good afternoon.

(Thereupon a slide presentation.)

PUBLIC LAND MANAGER FOSTER: Yes. Good afternoon.

Thank you. Madam Chair and commissioners, I'm Ken Foster, Public Land Manager with the Commission's Land Management
Division. I'm presenting on Item 50, the Commission's School Land Investment Program. 

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

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

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PUBLIC LAND MANAGER FOSTER: To assist with developing the School Land Investment Program, the
Commission hired the consultant AgInvest International to prepare a report entitled, "Strategic Investment Considerations for the School Land Bank Fund". The report describes, among other things, important considerations for investing in agricultural and commercial property and investment related similarities and differences between the two property types.

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

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

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PUBLIC LAND MANAGER FOSTER: Depicted here is a section from the agricultural matrix tool showing the
necessary data inputs for the economic section. The environmental and social sections are laid out in a similar manner with weighted values from each section total to obtain an overall score.

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

If staff concur with the broker's analysis and believe the perspective parcel would be a good fit, staff would seek authorization from the Executive Officer to open negotiations with the seller and set purchase terms, include making a deposit. Any final purchase would be contingent upon Commission approval and any property purchase would then be added to the School Land Trust.
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PUBLIC LAND MANAGER FOSTER: Staff reiterates the recommendation made in Item 50 to authorize the solicitation of offers for real estate broker services to inform staff recommendations and facilitate real estate property purchases for the School Land Investment Program.

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

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

(Shakes head.)

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

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

CHAIRPERSON YEE: All right. Very well. Thank
you.

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

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

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

ACTING COMMISSIONER DUMLAO: And I will second that motion.

CHAIRPERSON YEE: Seconded by Commissioner Dumlao.

Mr. Lucchesi, please call the roll.

EXECUTIVE OFFICER LUCCHESI: Certainly. Commissioner Dumlao?

ACTING COMMISSIONER DUMLAO: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Aye.

EXECUTIVE OFFICER LUCCHESI: Chair Yee?

CHAIRPERSON YEE: Aye.

EXECUTIVE OFFICER LUCCHESI: The motion passes unanimously.

CHAIRPERSON YEE: Okay. Thank you very much. We'll now move on to --

PUBLIC LAND MANAGER FOSTER: Thank you.

CHAIRPERSON YEE: Thank you, Ken.
We'll now move on to Item 51, which is to discuss and take possible action on State legislation that is relevant to the State Lands Commission. And let me turn to Sheri Pemberton for the presentation.

Good afternoon.

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Good afternoon. Thank you Chair Yee and Commissioners. My name is Sheri Pemberton and I'm the Chief of our External Affairs Division. This item is an informational update on State legislation. Staff is not recommending action on any of the bills listed in the leg. report at this time.

The legislative session is well underway, though it's still early. Last Friday was the bill introduction deadline and Committee hearings will gear up starting in March and April.

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

There are several bills recently introduced and four in particular that directly affect the Commission, so I wanted to touch on those briefly. The first is AB 1832, which would ban the State Lands Commission and local
trustees from issuing a lease for hard minerals on tide and submerged lands. This bill is focused on banning seabed mining and modeled on a bill that the State of Washington passed last year, and also efforts coalescing across the globe to proactively ban seabed mining, even though no deep-sea mining is occurring yet, but the International Seabed Mining Authority may issue regulations within the next year or two to govern that process. And that's in part what's prompted more attention on this issue.

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

The third bill - and there's four total that I'll mention - is SB 1065 by Senator Eggman. This bill would create a Commercial Abandoned Vessel Removal Program and task the Commission with administering this program, and so I wanted to highlight that, because we've been working with the author's office and other stakeholders. And it also kind of relates to the item that we heard earlier on abandoned vessel removal efforts.
The last bill I wanted to highlight is AB 2607 by Assembly Member Ting. This bill is sponsored by the San Francisco Fire Department and it's intended to facilitate building a new regional firefighter training facility to replace one that will have to be demolished because of development at Treasure Island where it's currently located. This bill would authorize the Commission to convey certain land to the City free of the Public Trust for purposes of building this new regional firefighter training facility.

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

I'll be following these bills in the months to come and working with the authors' offices, committee staff, and CNRA as necessary, the Natural Resources Agency, and will potentially be bringing bills before the
Commission to consider taking a position on at the April meeting.

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

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

Any comments or questions by our commissioners?

ACTING COMMISSIONER DUMLAO: (Shakes head).

ACTING COMMISSIONER MILLER: (Shakes head).

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

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

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

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

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

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

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

While you included a related priority in your
five-year strategic plan, we ultimately determined that a
legislative approach was appropriate. AB 1832 mirrors the
policy approach that Oregon and Washington have both
already adopted. The bill is supported by nearly two
dozen leading environmental organizations, including The
Nature Conservancy, Heal the Bay, Oceana, and the Benioff
Ocean Initiative.

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

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

We've appreciated the technical assistance that
SLC staff has provided the author's office on this bill
and we're receptive to any further input. Given there are
no seabed mining prospectors in State waters currently, we hope the Commission can provide public support for this proactive effort to safeguard the coast and prevent the disastrous impacts that seabed mining has to our State waters and resources.

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

Thank you.

CHAIRPERSON YEE: Thank you very much, Laura.

Appreciate your comments.

Katie, our next speaker.

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

CHAIRPERSON YEE: Good afternoon, Amy.

MS. WOLFRUM: Good afternoon. Thank you. Just getting myself off mute. So good afternoon, Chair, Commissioners. My names -- and staff. My name is Amy Wolfrum and I'm the California Ocean Policy Senior Manager for Monterey Bay Aquarium. Thank you for the opportunity to comment on today's legislative report and specifically AB 1832, California Seabed Mining Prevention Act. The mission of Monterey Bay Aquarium is to inspire conservation of the ocean. And we take action to protect
California's ocean wildlife and ecosystems against significant threats like seabed mining. With 1,100 miles of coastline and 5,500 square miles of water extending three miles offshore, our State waters are home to some of the world's most biodiverse ecosystems.

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

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

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

We still need to learn more about the full impacts of these plumes in the ocean, but scientists say
they could interfere with the health of marine species, including their migratory feeding and reproduction patterns. Mining operations also result in noise, light, and thermal pollution that disrupt marine communities.

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

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

Thank you.

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

Katie, our next speaker, please.

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

CHAIRPERSON YEE: All right. Thank you very much. Again, thank you Sheri for the presentation. This is essentially an informational item. We will be hearing updates at our April meeting on many of these bills, if not any in addition to this list, so thank you for the
We'll now move on to Item 52. This is to consider supporting legislation this session, in the 2021-22 session that would require the State Lands Commission to develop a cost study to measure the fiscal impact of a voluntary buyout of the remaining lease interests in actively producing State offshore oil and gas leases in State waters.

Sheri, would you please present this item.

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.

Thank you, Madam Chair and Commissioners. Item 52 recommends that the Commission support legislation that would require the Commission to develop a cost study that measures the fiscal impact of a voluntary buyout of the remaining lease interests in the Commission's remaining offshore oil and gas leases.

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

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

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

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

    The cost study can also assess ways the State can propel oil and gas companies toward voluntarily ending
offshore oil and gas production as a component of a strategy to reach zero net energy emissions by 2050 or sooner. So the idea is to quantify the costs and provide that concrete and -- or yield that concrete information that can inform actions for practical solutions and next steps.

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

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

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

But I think this Commission and the -- certainly the essential role that it plays in all of that wants to be sure that we are doing this in a very thoughtful and deliberate manner. I think data has always driven the decisions that we have made and certainly the actions that we take in this regard. And I just think that for any
bill that suggests that we want to further accelerate this transition, that this is really threshold and foundational work that needs to be done is what's been encompassed in this bill proposing a cost study. We need to have knowledge about the fiscal impact, including unrealized State revenue anticipated, lost operator profits, related workforce impacts, as well as the costs ultimately to plug, abandoned, and decommission the wells, platforms, and any ancillary infrastructure.

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

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

This is an important transition. We have to do it. We have to do it right. We have to move quickly, but
we also need to move quickly with the right information. So I appreciate everyone's effort to move this issue forward.

CHAIRPERSON YEE: Thank you, Commissioner Dumlao.

Commissioner Miller.

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

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

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

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

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

CHAIRPERSON YEE: Thank you very much, Commissioner Dumlao, and I will second that motion.
Ms. Lucchesi, will you please call the roll.

EXECUTIVE OFFICER LUCCHESI: Of course.

Commissioner Dumlao?

ACTING COMMISSIONER DUMLAO: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Abstain, please.

EXECUTIVE OFFICER LUCCHESI: Chair Yee?

CHAIRPERSON YEE: Aye.

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

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

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

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Thank you, Madam Chair and Commissioners. Yes. This item recommends that the Commission support AB 353 by Assembly Member O'Donnell. There's currently an oil trust fund with a cap of $300 million. The purpose of the fund is to support the State's share of abandonment liability even the Long Beach oil's operation end. The State's share is established through contracts. And when the Oil Trust Fund was set up many years ago, it was thought that 300
million would be -- was needed to fund the State's liability. The estimates and the cost have since grown to an approximately $900 million abandonment cost for the State's share of liability, which leaves us 600 million or so shortfall.

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

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

The bill was approved unanimously in the Assembly Natural Resources Committee earlier this year and also by the full Assembly and is awaiting a hearing in the Senate.
Natural Resources and Water Committee. It has no opposition and it's supported by the City of Long Beach. And staff recommends that the Commission take a support position on AB 353.

Thank you.

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

Any questions or comments by commissioners on this measure?

ACTING COMMISSIONER DUMLAO: (Shakes head).
ACTING COMMISSIONER MILLER: (Shakes head).
CHAIRPERSON YEE: Okay. Seeing none.

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

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

CHAIRPERSON YEE: All right. Very well. Thank you very much. Seeing none, is there a motion on this item?
I will -- I'll move to adopt staff recommendation on this item.

Is there a second?

ACTING COMMISSIONER DUMLAO: I will second that motion.

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

EXECUTIVE OFFICER LUCCHESI: Commissioner Dumlao?

ACTING COMMISSIONER DUMLAO: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Abstain, please.

EXECUTIVE OFFICER LUCCHESI: Chair Yee?

CHAIRPERSON YEE: Aye.

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

CHAIRPERSON YEE: Great. Thank you very much. Ms. Lucchesi, what is our next order of business?

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

CHAIRPERSON YEE: All right. Great. Thank you. So, at this point, if anyone wishes to address the Commission on any matter that is not on today's agenda, please raise your hand. You will have three minutes to do so. And, Katie, I'm going to ask you to call the first
person who would like to make a public comment.

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

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

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

COMMISSIONER DUILAO: (Shakes head).

COMMISSIONER MILLER: (Shakes head).

CHAIRPERSON YEE: Okay. Seeing none.

Ms. Lucchesi, our next order of business.

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

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

(Off record: 3:14 p.m.)
(Thereupon the meeting recessed into closed session.)

(Thereupon the meeting reconvened open session.)

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

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

EXECUTIVE OFFICER LUCCHESI: No.

CHAIRPERSON YEE: Very well. Thank you. Commissioners, thank you very much. That concludes the open meeting and we are hereby adjourned. Thank you very much, everyone.

(Thereupon the California State Lands Commission meeting adjourned at 4:01 p.m.)
CERTIFICATE OF REPORTER

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

That I am a disinterested person herein; that the foregoing California State Lands Commission 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