

MEETING
STATE OF CALIFORNIA
STATE LANDS COMMISSION

ZOOM PLATFORM

CITY OF GOLETA
COUNCIL CHAMBERS
130 CREMONA DRIVE
GOLETA, CALIFORNIA

TUESDAY, APRIL 26 2022

1:02 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, represented by
Matthew Dumlao, PhD

Keely Bosler, Director, Department of Finance, represented
by Gayle Miller

STAFF:

Jennifer Lucchesi, Executive Officer

Colin Connor, Assistant Executive Officer

Seth Blackmon, Chief Counsel

Reid Boggiano, Public Land Management Specialist, External
Affairs Division

Brian Bugsch, Chief, Land Management Division

Nate Dozier, Associate Governmental Program Analyst,
Mineral Resources Management Division

Joseph Fabel, Senior Attorney

Sheri Pemberton, Chief, External Affairs Division

Katie Robinson-Filipp, Environmental Scientist

ATTORNEY GENERAL:

Andrew Vogel, Supervising Deputy Attorney General

APPEARANCES CONTINUED

ALSO PRESENT:

Susanne Cumming, Sierra Club California, Defend Ballona Wetlands

John Deeter, Environmental Council of Sacramento

Boris Delepine, City and County of San Francisco

Carla Frisk, Get Oil Out

John Geesman, Alliance for Nuclear Responsibility

Marcia Hanscom, Protect Ballona Wetlands

Peter Imhof, City of Goleta

Christina Ku

Elizabeth Lambe, Los Cerritos Wetlands Land Trust

Don Mooney, Environmental Coalition of Sacramento

Job Nelson, Port of San Diego

Clark Perri, California Department of Transportation

Paula Perotte, Mayor, City of Goleta

Robert Pontelle, Southern California Edison

Ralph Proper, Environmental Council of Sacramento

Michelle Sevilla, Office of Assemblymember Steve Bennett

Dan Stegink

Robert "Roy" van de Hoek

Jane Velez-Mitchell

Jeanette Vosburg, Grassroots Coalition

Laura Walsh, Surfrider Foundation

APPEARANCES CONTINUED

ALSO PRESENT:

Amy Wolfrum, Monterey Bay Aquarium

Jill Zamek, San Luis Obispo Mothers for Peace

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I Open Session	1
II Public Comment	9
<p>Public comments will be heard at 1:00 pm for items not on the agenda, for no more than 30 minutes. At the discretion of the Chair, speakers will be given up to 3 minutes. For those unable to attend the early public comment period, there may be additional comment time available later in the day. Note: Comments made during the general public comment period regarding matters pending before the Commission do not become part of the official record for those matters.</p>	
III Confirmation of Minutes for the February 25, 2022 meeting	26
IV Executive Officer's Report	33
<p>Continuation of Rent Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:</p> <p>Shasta County Department of Public Works (Lessee): Continuation of rent at \$523 per year for a General Lease - Public Agency Use located on state sovereign lands, Shasta County. (PRC 505)</p> <p>Tomales Bay Assignment Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:</p> <p>No items for this section</p>	
V Consent Calendar 01-57	38
<p>The following items are considered to be noncontroversial and are subject to change at any time up to the date of the meeting.</p> <p>Land Management</p> <p>Northern Region</p>	

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- 01 LUIS ROBERT UBILLUS ADELMAN (LESSEE): Consider amendment of Lease Number PRC 8644, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1590 North Lake Boulevard, near Tahoe City, Placer County; for removal and construction of a pier and catwalk; installation of a boat lift; and removal of one existing mooring buoy. CEQA Consideration: categorical exemptions. (PRC 8644; A3271; RA# 2021065) (A 1; S 1) (Staff: J. Holt)
- 02 LAWRENCE H. BLACK, TRUSTEE OF THE LAWRENCE H. BLACK 2012 QUALIFIED PERSONAL RESIDENCE TRUST DATED DECEMBER 17, 2012; AARON SASSON AND BARBRO SASSON, TRUSTEES OF THE AARON AND BARBRO SASSON TRUST, UTD DATED SEPTEMBER 24, 1998 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6780 and 6784 North Lake Boulevard in Tahoe Vista, Placer County; for two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8158; A3251; RA# 2021096) (A 1; S 1) (Staff: L. Anderson)
- 03 JAMES C. BLAKEMORE AND GRACE E. HACKMEIER (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 3790 North Lake Boulevard, near Carnelian Bay, Placer County; for removal and reconstruction of an existing pier and boat lift; and use and maintenance of two existing mooring buoys. CEQA Consideration: categorical exemptions. (Lease 5751; A2961; RA# 2021002) (A 1; S 1) (Staff: S. Avila)
- 04 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider authorizing staff to file a Record of Survey depicting the meanders of the high water mark and edge of water on the right bank of the Russian River on certain dates in November and December of 2021 and February of 2022 at a site commonly known as Johnson Beach, in Guerneville, Sonoma County. CEQA Consideration: not a project. (I2069) (A 2; S 2) (Staff: D. Frink; N. Lee)
- 05 CFT CHALLENGE, LLC, A NEVADA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4250 North Lake Boulevard, near

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- Carnelian Bay, Placer County; for removal and reconstruction of an existing pier and boat lift. CEQA Consideration: categorical exemptions. (Lease 5101; A3348; RA# 2021125) (A 1; S 1) (Staff: S. Avila)
- 06 CLEAN UP THE CAYES 501(C)3 (APPLICANT): Consider application for a General Lease - Other, of sovereign land located in Lake Tahoe, El Dorado and Placer Counties; Donner Lake and Independence Lake, Nevada County; June Lake, and Twin Lakes, Mono County; Echo Lake and Fallen Leaf Lake, El Dorado County; and Gold Lake, Plumas County; for SCUBA enabled litter removal, data collection, and monitoring to improve lake health, and to promote mitigation of litter accumulation and public enjoyment. CEQA Consideration: categorical exemptions. (A2492; RA# 2019213) (A 1, 5; S 1, 8) (Staff: J. Toy)
- 07 DONNER PINES WEST HOMEOWNERS ASSOCIATION (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Donner Lake, adjacent to 15825 Donner Pass Road, near Truckee, Nevada County; for a portion of an existing boat dock. CEQA Consideration: categorical exemption. (Lease 7901; A3211; RA# 2021049) (A 1; S 1) (Staff: S. Avila)
- 08 BRUCE T. EISENHARD AND NANCY EISENHARD, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE EISENHARD LIVING TRUST, DATED SEPTEMBER 11, 2007 AND ANY AMENDMENTS THERETO (LESSEE); TAHOE VISTA BEACH HOUSE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider termination of Lease Number PRC 8680, a General Lease - Recreational Use: and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6790 North Lake Boulevard, near Tahoe Vista, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8680; A3422; RA# 2021161) (A 1; S 1) (Staff: S. Avila)
- 09 ROBERT J. ERNST III AND KATHERINE R. ERNST, AS TRUSTEES OF THE ROBERT AND KATHERINE ERNST TRUST, DATED MARCH 27, 2017 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3310 Edgewater

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- Drive, Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8977; A3174; RA# 2020484) (A 1; S 1) (Staff: L. Anderson)
- 10 JOSHUA R. FLOUM AND MARGARET R. O'DONNELL, CO-TRUSTEES OF THE FLOUM/O'DONNELL REVOCABLE TRUST U/A/D 12/10/2013 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3328 Edgewater Drive, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8401; A3082; RA# 2020471) (A 1; S 1) (Staff: L. Anderson)
- 11 WELLINGTON S. HENDERSON, JR., AS TO A LIFE ESTATE; AND WELLINGTON S. HENDERSON, JR., AND RICHARD L. GREENE AS TRUSTEES OF THE HARRIET WALKER HENDERSON IRREVOCABLE TRUST U/T/A DATED AUGUST 14, 1973 (LESSEE); CHARLES C. HENDERSON, MELINDA HENDERSON, ROBERT WALLACE, BRIAN KEATING, AND MARK W. HENDERSON, AS TRUSTEES OF THE FIVE SEPARATE TRUSTS ESTABLISHED UNDER THE HARRIET WALKER HENDERSON IRREVOCABLE TRUST DATED AUGUST 14, 1973 FBO CHARLES C. HENDERSON, JAMES A. HENDERSON, JOAN H. HENDERSON, ELENA D. HENDERSON, AND MARK W. HENDERSON (APPLICANT): Consider rescission of prior lease authorization, and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8901 Rubicon Drive, near Meeks Bay, El Dorado County; for an existing pier, boathouse, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 4471; A2524; RA# 2019239) (A 5; S 1) (Staff: Logan Anderson)
- 12 HERBERT H. HOOPER, D.D.S., SURVIVING TRUSTEE OF THE 2007 HOOPER FAMILY REVOCABLE TRUST (APPLICANT): Consider application for a General Lease -Recreational Use, of sovereign land in Lake Tahoe, adjacent to 6073 North Lake Boulevard, near Tahoe Vista, Placer County; for an existing pier, boathouse with boat hoist, sundeck with stairs, and one mooring buoy. CEQA Consideration: categorical exemption. (Lease 4056; A2405; RA# 2019168) (A 1; S 1) (Staff: A. Franzoia)
- 13 WAYNE D. JORDAN AND M. QUINN DELANEY, AS TRUSTEES, OR THE SUCCESSOR TRUSTEE OR TRUSTEES, U/A/D APRIL 29,

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- 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; and 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)
- 14 MACBRIDE TAHOE MANAGEMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3785 Belleview Avenue, near Homewood, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 3222; A3013; RA# 2020404) (A 1; S 1) (Staff: L. Anderson)
- 15 ROBERT D. MAY AND JUDITH T. MAY, TRUSTEES OF THE MAY FAMILY TRUST AS AMENDED AND UPDATED IN 2013 (LESSEE): Consider amendment of Lease Number PRC 8983, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8441 Meeks Bay Avenue, near Rubicon Bay, El Dorado County; for installation of a boat lift; and removal of one existing mooring buoy. CEQA Consideration: categorical exemptions. (PRC 8983; A3356; RA# 2021130) (A 5; S 1) (Staff: J. Holt)
- 16 R. DANIEL PUTMAN AND KATHLEEN L. WILLIAMS, CO-TRUSTEES OF THE PUTMAN-WILLIAMS LIVING TRUST DATED APRIL 30, 2015 (LESSEE); ROBERT A. BUCCOLA (APPLICANT): Consider waiver of penalty and interest; void Invoice Number 54181; termination of Lease Number PRC 4145, a General Lease - Recreational Use, and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8307 Meeks Bay Avenue, Meeks Bay, El Dorado County; for an existing pier, boat lift, and two mooring buoys previously authorized by the Commission and an existing water intake pipeline not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 4145; A3310; RA# 2021122) (A 5; S 1) (Staff: J. Holt)

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- 17 NORMAN W. SCHLINGER, TRUSTEE OF THE NORMAN WARREN SCHLINGER LIVING TRUST, DATED APRIL 17, 1995 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5298 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boathouse with boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 4878; A3494; RA#2021211) (A 1; S 1) (Staff: S. Avila)
- 18 LEE J. SCHWEICHLER, TRUSTEE OF THE ANN W. SCHWEICHLER QUALIFIED PERSONAL RESIDENCE TRUST, DATED SEPTEMBER 10, 2009; ANN W. SCHWEICHLER, TRUSTEE OF THE LEE J. SCHWEICHLER QUALIFIED PERSONAL RESIDENCE TRUST, DATED SEPTEMBER 10, 2009; AND SIENNA PARTNERS, LLC (LESSEE); LEE J. SCHWEICHLER, TRUSTEE OF THE ANN W. SCHWEICHLER QUALIFIED PERSONAL RESIDENCE TRUST, DATED SEPTEMBER 10, 2009; ANN W. SCHWEICHLER, TRUSTEE OF THE LEE J. SCHWEICHLER QUALIFIED PERSONAL RESIDENCE TRUST, DATED SEPTEMBER 10, 2009; AND HEIDI K. DELGADO (APPLICANT): Consider amendment to Lease Number PRC 6819, a General Lease - Recreational Use, of sovereign land, located in Lake Tahoe, adjacent to 8375 and 8381 Meeks Bay Avenue, near Meeks Bay, El Dorado County; to remove Sienna Partners, LLC and replace with Heidi K. Delgado as Lessee, revise the rent, and replace the lease exhibits. CEQA Consideration: not a project. (Lease 6819; A3305; RA# 2021093) (A 5; S 1) (Staff: S. Avila)
- 19 TAHOE SIERRA ESTATES ASSOCIATION (APPLICANT): Consider waiver of rent, penalty, and interest; acceptance of a lease quitclaim deed; and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 624 Olympic Drive, Tahoe City, Placer County; for an existing pier previously authorized by the Commission; 43 existing mooring buoys and four navigational marker buoys; and removal of two existing navigational marker buoys and one freshwater intake pipeline with conduit not previously authorized by the Commission. CEQA Consideration: categorical exemptions. (Lease 9167; RA# 30318) (A 1; S 1) (Staff: S. Avila)
- 20 THE GAR WOOD BUILDING, A CALIFORNIA LIMITED PARTNERSHIP (APPLICANT): Consider application for a General Lease - Other Use, of sovereign land located in Lake Tahoe, adjacent to 4998 North Lake Boulevard,

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- near Carnelian Bay, Placer County; for an existing restaurant accommodation pier, 14 mooring buoys, and three marker buoys. CEQA Consideration: categorical exemption. (Lease 5402; A3301; RA# 2021183) (A 1; S 1) (Staff: S. Avila)
- 21 MARGARET MILLER TREMBLEY, TRUSTEE OF THE MARGARET MILLER TREMBLEY REVOCABLE TRUST DATED AUGUST 2, 1993; MARGARET TREMBLEY-GAB; AND THOMAS R. CHRISTIANSON AND ALISON T. CHRISTIANSON, TRUSTEES OF THE CHRISTIANSON FAMILY TRUST UNDER AGREEMENT DATED JANUARY 1, 2008 (LESSEE); ROBERT A. BUCCOLA (APPLICANT): Consider termination of Lease Number PRC 8362, a General Lease - Recreational Use, and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8305 Meeks Bay Avenue, Meeks Bay, El Dorado County; for an existing pier, boathouse, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8362; A3299; RA# 2021121) (A 5; S 1) (Staff: J. Holt)
- 22 UNITED STATES FISH AND WILDLIFE SERVICE (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Yuba River, adjacent to Assessor's Parcel Numbers 006-170-141, -140, -139, -126, -119, and -118; and 005-270-176, -140, and -018, near Marysville, Yuba County; for habitat restoration, floodplain excavation and grading, creation of a side perennial channel, and riparian revegetation. CEQA Consideration: Mitigated Negative Declaration, certified by the Yuba County Planning Department, State Clearinghouse Number 2021030284, and adoption of a Mitigation Monitoring Program. (A2982; RA# 2020344) (A 3; S 4) (Staff: N. Lee)
- 23 CARL M. WARMACK AND PAMELA J. WARMACK, AS TRUSTEES OF THE WARMACK FAMILY TRUST, DATED MAY 4, 2015; CHARLES M. CHEVALIER, JR. AND JOAN C. CHEVALIER AS TRUSTEES OF THE CHEVALIER REVOCABLE TRUST, DATED DECEMBER 20, 2005; WILLOW J. ANSTEAD, CATHERINE A. RAMIREZ (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8261 Meeks Bay Avenue, Meeks Bay El Dorado County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (Lease 8319; A3215; RA# 2021082) (A 5; S 1) (Staff: L. Anderson)

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- 24 WS MARINA, LLC, A DELAWARE LIMITED LIABILITY COMPANY (LESSEE): Consider amendment of Lease Number 3953, a General Lease - Commercial Use, of sovereign land located in Lake Tahoe, adjacent to 5190 West Lake Boulevard, near Homewood, Placer County; for maintenance dredging. CEQA Consideration: categorical exemption. (Lease 3953; A3473; RA# 2021200) (A 1; S 1) (Staff: N. Lee)

Bay/Delta Region

- 25 JOYCE M. BONIFIELD, AS TRUSTEE UNDER THE PROVISIONS OF A TRUST AGREEMENT DATED MARCH 21, 2013, KNOWN AS THE JOYCE M. BONIFIELD REVOCABLE TRUST (LESSEE/ASSIGNOR); JAMES LOUIE CUNNINGHAM AND LORI LYNN CUNNINGHAM (APPLICANT/ASSIGNEE): Consider assignment of a General Lease - Recreational Use, of sovereign land in Corte Madera Creek, adjacent to 147 Greenbrae Boardwalk, near Larkspur, Marin County; for an existing boat dock and appurtenant facilities. CEQA Consideration: not a project. (Lease 9261; A3266; RA# 2021062) (A 10; S 2) (Staff: C. Hudson)
- 26 CALIFORNIA DEPARTMENT OF TRANSPORTATION (APPLICANT): Termination of a Public Agency Permit and Right-of-Way Map and approval of a Public Agency Permit and Right-of-Way Map, pursuant to Section 101.5 of the Streets and Highway Code and Section 6210.3 of the Public Resources Code, of sovereign land in the American River, for the American River Bridge Deck Replacement Project, including approval of two Temporary Construction Areas, near Cal Expo, Sacramento, Sacramento County. CEQA Consideration: Mitigated Negative Declaration and Addendum, adopted by the California Department of Transportation, State Clearinghouse No. 2020100388, and adoption of a Mitigation Monitoring Program. (A3187; RA# 2021020) (A 7; S 6) (Staff: A. Franzoia) 92
- 27 CITY OF SAN JOSE (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the historic bed of the Guadalupe River, near Alviso, San Jose, Santa Clara County; for a public street and a

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- portion of a bridge. CEQA Consideration: categorical exemption. (Lease 4491; A3163; RA# 2021010) (A 25; S 10) (Staff: K. Connor)
- 28 TONY JOE CONRAD AND MARY FERNANDO CONRAD, TRUSTEES OF THE TONY AND MARY CONRAD REVOCABLE TRUST DATED JULY 27, 2000 (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign tide and submerged land located in the Pacific Ocean, adjacent to 49 Terrace Avenue, Bolinas, Marin County; for an existing concrete seawall. CEQA Consideration: categorical exemption. (Lease 5881; RA# 2020051) (A 10; S 2) (Staff: M. Schroeder)
- 29 CROCKETT COMMUNITY SERVICES DESTRIC (APPLICANT): Consider termination of Permit Number PRC 5420, a General Permit - Public Agency Use, and application for a General Lease - Public Agency Use, of filled sovereign land located in and along the Carquinez Strait, Crockett, Contra Costa County; for an existing pump house, force main pipeline, equalization tank, and sewage wastewater outfall pipeline. CEQA Consideration: categorical exemption. (Lease 2595; RA# 20211146) (A 14; S 3) (Staff: K. Connor)
- 30 ECO SERVICES OPERATIONS CORP. (LESSEE): Consider revision of rent to Lease Number PRC 7660, a General Lease - Industrial and Protective Structure Use, of filled and unfilled sovereign land located adjacent to 100 Mococo Road, in Peyton Slough and Carquinez Strait, Martinez, Contra Costa county; for a wastewater treatment facility and appurtenant facilities, outfall pipeline, road, railroad spur, utilities, retention pond, fences, sheet pile and rip rap bank protection, groundwater monitoring wells, capped remediated soils in old Peyton Slough channel, and open wetland and marshland habitat. CEQA Consideration: not a project. (PRC 7660; RA 08314) (A 14; S 3) (Staff: V. Caldwell)
- 31 IRONHOUSE SANITARY DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the San Joaquin River, adjacent to Assessor's Parcel Number 027-050-001; and in Dutch Slough, adjacent to Assessor's Parcel Numbers 0270-040-001 and 037-191-029, at Jersey Island, near

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- Oakley, Contra Costa County; for an existing treated effluent pipeline, effluent outfall pipeline, diffuser, and rock riprap. CEQA Consideration: categorical exemption. (Lease 7889; A2781; RA# 2020358) (A 11; S 7) (Staff: G. Asimakopoulos)
- 32 PHILLIPS 66 COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in Pacheco Creek, adjacent to Assessor's Parcel Number 159-140-040, near Martinez, Contra Costa County; for an existing non-operational pipeline. CEQA Consideration: categorical exemption. (Lease 7859; RA# 2019332) (A 14; S 3) (Staff: M. Schroeder)
- 33 SANTA CRUZ YACHT CLUB (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Monterey Bay, near Santa Cruz, Santa Cruz County; for the seasonal placement, use, and maintenance of five marker buoys. CEQA Consideration: categorical exemption. (A3530; RA# 2021245) (A 29; S 17) (Staff: D. Simpkin)
- 34 THE LOST ISLE PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP (APPLICANT): Consider application for a caretaker status General Lease - Recreational, Protective Structure, and Right-of-Way Use, of sovereign land located in the San Joaquin River at Acker Island, adjacent to 11050 Acker Island, near Stockton, San Joaquin County; for existing derelict boat docks, appurtenant facilities, barge and work vessels, and underground power line previously authorized by the Commission; and derelict boardwalk structure and decks, and Sheriff boat dock and ramp not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 7080; RA# 2020415) (A 13; S 5) (Staff: M. Schroeder)
- 35 USGS CALIFORNIA WATER SCIENCE CENTER (APPLICANT): Consider application for a General Lease - Other, of sovereign land located in Sacramento River, adjacent to Assessor's Parcel Number 002-0010-023, Sacramento, Sacramento County; for an existing 2-pile dolphin. CEQA Consideration: categorical exemption. (Lease 2407; RA# 2021032) (A 7; S 6) (Staff: M. Schroeder)

Central/Southern Region

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- 36 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES): Consider acceptance of an offer to dedicate a public lateral access easement adjacent to 31430 Broad Beach Road, Malibu, Los Angeles County. CEQA Consideration: not a project. (W24665; I2523) (A 50; S 27) (Staff: L. Pino)
- 37 CITY OF DEL MAR (APPLICANT): Consider application for a General Lease - Public Agency Use and Dredging, of sovereign land in the San Dieguito River and the Pacific Ocean, Del Mar, San Diego County; for dredging of the San Dieguito River Inlet and the deposition of 50,000 cubic yards of sand annually at Del Mar City Beach under the City of Del Mar Sand Compatibility and Opportunistic Use Program (SCOUP). CEQA Consideration: Mitigated Negative Declaration, adopted by the City of Del Mar, State Clearinghouse Number 2020040181, and adoption of a Mitigation Monitoring Program. (A3435; RA#2021179) (A 78; S 39) (Staff: K. Connor)
- 38 CITY OF PISMO BEACH (LESSEE): Consider revision of rent for Lease Number PRC 6674, a General Lease - Public Agency Use, of sovereign land located in the Pacific Ocean, Pismo Beach, San Luis Obispo County; for an existing public pier. CEQA Consideration: not a project. (PRC 6674) (A 35; S 17) (Staff: V. Caldwell)
- 39 ROBERT P. MANIACI, AS A TRUSTEE OF THE ROBERT P. AND MARY M. MANIACI FAMILY TRUST DATED JULY 14, 1993 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16642 Somerset Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: categorical exemption. (Lease 3173; A3447; RA# 2021188) (A 72; S 34) (Staff: J. Holt)
- 40 MONTEREY COUNTY WATER RESOURCES AGENCY (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Old Salinas River, adjacent to Assessor's Parcel Numbers 135-021-005 and 229-041-012, near Castroville, Monterey County; for an existing concrete box culvert with concrete mat, steel slide gate, log boom, riprap bank protection, and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 7935,

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- A3349; RA# 2021129) (A 29; S 17) (Staff: L. Pino)
- 41 MICHAEL S. MORRIS, TRUSTEE OF THE WILLIAM S. BANNASCH LIVING TRUST DATED AUGUST 30, 2002 (LESSEE/ASSIGNOR); LINEAR BANNASCH (APPLICANT/ASSIGNEE): Consider assignment of a General Lease - Protective Structure Use, of sovereign land located adjacent to 523-525 Pacific Avenue, Solana Beach, San Diego County; for one seacave/notch fill. CEQA Consideration: not a project. (Lease No. PRC 7128; RA# 2021190) (A 78; S 39) (Staff: D. Simpkin)
- 42 PACIFIC GAS AND ELECTRIC COMPANY (APPLICANT): Consider application for General Lease - Right-of-Way Use, of sovereign land in the Salinas River adjacent to Assessor's Parcel Numbers 229-011-025 and 229-011-027, near Marina, Monterey County; for an existing natural gas pipeline not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2539; RA# 12518) (A 29; S 17) (Staff: L. Pino)
- 43 RTI INFRASTRUCTURE, INC. (LESSEE): Consider adoption of an Addendum to a Mitigated Negative Declaration, State Clearinghouse No. 2020040309, and amendment of Lease Number 9632, a General Lease - Right-of-Way Use, of sovereign land in the Pacific Ocean, Pismo State Beach, Grover Beach, San Luis Obispo County; for the relocation of installation, use, and maintenance of two 6-inch-diameter steel conduits and one 2-inch-diameter subsea fiber optic cable, amend Section 2, Special Provisions, replace lease exhibits, and revise annual rent and bond. (Lease 9632; A3426; RA# 2021165) (A 35; S 17) (Staff: D. Simpkin)
- 44 SOUTHERN CALIFORNIA EDISON COMPANY AND SAN DIEGO GAS AND ELECTRIC COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in the Pacific Ocean, San Onofre, San Diego County; for two existing non-operational offshore concrete pipelines associated with San Onofre Nuclear Generating Station (SONGS) Unit 1. CEQA Consideration: categorical exemption. (Lease

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3193; A2685; RA# 2019347) (A 76; S 36) (Staff: C. Hudson) 113

School Lands

- 45 AT&T CORP, SUBSIDIARY OF SBC COMMUNICATIONS, INC (LESSEE): Consider revision of rent to Lease Number PRC 2984, a General Lease - Right-of-Way Use, of State-owned school land located within a portion of Section 36, Township 12 North, Range 5 East, SBM, southwest of Baker, San Bernardino County; for an underground cable. CEQA Consideration: not a project. (PRC 2984) (A 33; S 16) (Staff: V. Caldwell)
- 46 SOUTHERN CALIFORNIA EDISON COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State indemnity school land located in a portion of Section 1, Township 2 North, Range 5 East, SBM, near Landers, San Bernardino County; for an overhead electric distribution line and installation of two wooden poles. CEQA Consideration: categorical exemption. (Lease 7528; A3380; RA# 2021139) (A 42; S 16) (Staff: R. Collins)

Mineral Resources Management

- 47 ALPINE OCEAN, INCORPORATED (APPLICANT): Consider application for a General Offshore Geophysical Survey Permit to conduct geophysical surveys on granted and ungranted tidelands and submerged lands statewide, from the mean high tide line to 3 nautical miles offshore. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, State Clearinghouse No. 2013072021. (A3309; RA# 2021246) (A & S: Statewide) (Staff: C. Fox)
- 48 ARGUELLO, INC. (LESSEE): Consider acknowledgment of a full quitclaim deed for a water injection lease No. 7180, of tidelands and submerged lands offshore Gaviota, Santa Barbara County. CEQA Consideration: not a project. (Lease 7180) (A 37; S 19) (Staff: E. Tajer)
- 49 CITY OF LONG BEACH (GRANTEE): Consider approval of subsidence monitoring costs for vertical measurements and studies for the 2022-2023 Fiscal Year, City of

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- Long Beach, Los Angeles County. CEQA
Consideration: categorical exemption. (W 10443)
(A 70; S 33, 34) (Staff: P. Regan)
- 50 CITY OF LONG BEACH (GRANTEE): Consider acceptance of the First Modification and Supplement of the Long Beach Unit Annual Plan (July 1, 2021, through June 30, 2022), Long Beach Unit, Wilmington Oil Field, Los Angeles County. CEQA Consideration: not a project. (W 17166) (A 70; S 33, 34) (Staff: J. Abedi)
- 51 CITY OF LONG BEACH (GRANTEE): Consider acceptance of the Long Beach Unit Annual Plan (July 1, 2022, through June 30, 2023), Long Beach Unit, Wilmington Oil Field, Los Angeles County. CEQA Consideration: not a project. (W 17166) (A 70; S 33, 34) (Staff: J. Abedi)
- 52 ETRAC, INCORPORATED (APPLICANT): Consider application for a General Offshore Geophysical Survey Permit to conduct geophysical surveys on granted and ungranted tidelands and submerged lands statewide, from the mean high tide line to 3 nautical miles offshore. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, State Clearinghouse No. 2013072021. (A3415; RA# 2021172) (A & S: Statewide) (Staff: C. Fox)
- 53 GILL RANCH GAS STORAGE, LLC (ASSIGNOR/LESSEE) AND PACIFIC GAS AND ELECTRIC COMPANY (LESSEE); SENS HOLDINGS, LLC (ASSIGNEE): Consider assignment of a portion of the working interest of gas storage lease No. 8885 (subsurface only), on about 71.6 acres of State-owned sovereign land lying several thousand feet below the San Joaquin River in Sections 2, 22, and 28, Township 13 South, Range 16 East, Mount Diablo Base Meridian, Gill Ranch Gas Field, Fresno and Madera counties. CEQA Consideration: not a project. (Lease 8885; RA# 2021173) (A 25, 29, 31; S 12, 14, 16) (Staff: N. Heda)
- 54 PACIFIC GAS AND ELECTRIC COMPANY (LESSEE): Consider issuance of a renewal and amendment for gas storage lease No. 2839 (subsurface only), of State-owned sovereign land located approximately 10 miles west of the City of Stockton, San Joaquin County. The tidelands and submerged lands are part of the McDonald Island gas storage field and are located within the

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Southwest quarter and Southeast quarter of Section 24; the Northwest quarter, Northeast quarter, and Southeast quarter of Section 25; and the Northeast quarter of Section 36, Township 2 North, Range 4 East; and the Northwest quarter and Southwest quarter of Section 30 and Section 31, Township 2 North, Range 5 East, Mount Diablo Meridian. CEQA Consideration: categorical exemption. (Lease 2839; RA #: 2021154) (A 15; S 5) (Staff: N. Heda)

Marine Environmental Protection
No items for this section

Administration
No items for this section

Legal

55 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider amendment of the Commission's Delegation of Authority to authorize the Executive Officer to take actions on applications where two or more Commissioners have recused themselves from consideration of an application due to a conflict of interest. CEQA Consideration: not a project. (W 9301) (A & S: Statewide) (Staff: W. Crunk, J. Garrett)

Kapiloff Land Bank Trust Acquisition/Expenditure
No items for this section

External Affairs

Granted Lands

56 CITY OF LONG BEACH (TRUSTEE): Review a proposed tideland oil revenue expenditure in an amount not to exceed \$5,400,000 by the City of Long Beach for seven capital improvement projects on and adjacent to legislatively granted sovereign land in the City of Long Beach, Los Angeles County. CEQA Consideration: not a project. (G 05-03) (A 70; S 33) (Staff: M. Moser)

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57 CITY OF SANTA BARBARA (TRUSTEE): Review a proposed tideland revenue expenditure in an

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- amount not to exceed \$1,200,000 by the City of Santa Barbara for three capital improvement projects located on legislatively granted sovereign land in the City of Santa Barbara, Santa Barbara County. CEQA Consideration: not a project. (G 15-01.5) (A 37; S 19) (Staff: M. Moser)
- VI Informational Calendar 58
- 58 CALIFORNIA STATE LANDS COMMISSION: Report on the continued monitoring of possible subsidence, Long Beach Unit, Wilmington Oil Field, Los Angeles County. CEQA Consideration: not a project. (W 10442, W 16001) (A 70; S 33, 34) (Staff: P. Regan)
- VII Regular Calendar 59-65
- 59 CALIFORNIA STATE LANDS COMMISSION: Consider certification of a Final Environmental Impact Report (State Clearinghouse No. 2021060145), adoption of a Mitigation Monitoring Program and Statement of Findings, and authorization to proceed with Component 1 of the PRC 421 Decommissioning Project. (W30159-4) (A 37; S 19) (Staff: E. Gillies, J. Fabel, P. Regan) 40
- 60 CALIFORNIA STATE LANDS COMMISSION: Consider the second distribution of port stimulus funding to mitigate negative economic impacts from the COVID-19 pandemic pursuant to the 2021-2022 Budget Act. CEQA Consideration: not a project. (A & S: Statewide) (Staff: R. Boggiano, B. Johnson) 58
- 61 CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Update on the status of the existing offshore oil and gas production and pipeline leases managed by the Commission. CEQA Consideration: not a project. (A & S: Statewide) (Staff: N. Dozier) 70
- 62 CALIFORNIA STATE LANDS COMMISSION: Discussion and possible action on state legislation relevant to the California State Lands Commission. CEQA Consideration: not applicable. (A & S: Statewide)

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(Staff: S. Pemberton)	140
63 CALIFORNIA STATE LANDS COMMISSION: Consider supporting AB 1832 (Rivas), which would ban hard mineral seabed mining in state waters subject to tidal influence, except as provided. CEQA Consideration: not a project. (A & S: Statewide) (Staff: S. Pemberton)	142
64 CALIFORNIA STATE LANDS COMMISSION: Consider supporting AB 2109 (Bennett and Bloom), which would make it unlawful to use any bait, lure, or chum to attract any white shark or to place any bait, lure, or chum into the water when a white shark is either visible or known to be present except if the activity is authorized by a permit issued by the Department of Fish and Wildlife for scientific, educational, or propagation purposes. CEQA Consideration: not a project. (A & S: Statewide) (Staff: S. Pemberton)	146
65 CALIFORNIA OCEAN PROTECTION COUNCIL (INFORMATIONAL): Presentation by the Ocean Protection Council on the State Agency Sea-Level Rise Action Plan for California, a roadmap for planning and implementing coastal resilience created by the Sea-Level Rise Leadership Team. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: M. Farnum, J. Lucchesi)	153
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PROCEEDINGS

1
2 CHAIRPERSON YEE: Thank you very much. Good
3 afternoon, everyone. This meeting of the State Lands
4 Commission is being resumed after the Commissioners
5 participated in a tour of the Pier 421 decommissioning
6 project site conducted today between 11 a.m. and 12 noon.
7 All representatives of the Commission are present. I'm
8 State Controller Betty Yee, also Chair of the Commission.
9 I'm joined today by Dr. Matt Dumlao, representing
10 Lieutenant Governor Eleni Kounalakis, and Commissioner
11 Gayle Miller representing the Department of Finance.

12 Ms. Lucchesi, would you like to introduce the
13 others who are present today.

14 EXECUTIVE OFFICER LUCCHESI: We do have a quorum
15 present of the Commissioner -- of the Commission. We also
16 have a number of staff joining us virtually, including
17 meeting liaison Kim Lunetta, our Zoom co-host Katie
18 Robinson-Filipp, Mike Farinha, and Phil Schlatter, and a
19 number of State Lands staff who will be making
20 presentations to the Commission virtually.

21 CHAIRPERSON YEE: Thank you very much.

22 For the benefit of those joining us in the
23 audience and virtually, the State Lands Commission manages
24 State property interests in over five million acres of
25 land, including mineral interests. The Commission also

1 has responsibility for the prevention of oil spills, and
2 marine oil terminals, and offshore oil platforms, and for
3 preventing the introduction of marine invasive species
4 into California's marine waters.

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

8 We recognize the lands we manage have been
9 inhabited for thousands of years by California's native
10 people and take seriously our trust relationship with
11 these sovereign governments. I want to take a moment to
12 acknowledge and express gratitude to the Chumash people on
13 whose lands this meeting is being held. The Chumash have
14 maintained a constant presence on the landscape, living on
15 this coast and fishing in these waters for countless
16 generations. The Commission takes seriously its trust
17 relationship with these sovereign governments and
18 recognize that California's native people are essential
19 stewardship partners of the State's lands and resources.

20 I also wanted to take a moment to honor the
21 California Native American communities all across the
22 State for persisting, carrying on diverse cultural and
23 linguistic traditions and sustainably managing the land
24 that we now share. Native people have maintained a
25 constant presence on the landscape for thousands of years

1 and they're essential stewardship partners whether along
2 the coast, along our rivers and valleys, or in our fragile
3 deserts. We thank California Native American communities
4 for participating in this Commission's activities and for
5 their essential role in maintaining and adding to our
6 state's rich, cultural legacy.

7 And I also just wanted to thank Chairwoman Mia
8 Lopez of the Coastal Band of Chumash -- of the Chumash
9 Nation who joined us at the Pier 421 decommissioning
10 project site visit this morning.

11 I also would like to welcome and introduce Mayor
12 Paula Perotte who is the great Mayor of the City of
13 Goleta. We are very grateful that you are hosting us here
14 today, this meeting of the State Lands Commission, Mayor,
15 in this beautiful facility to really allow the broadest
16 public engagement in our Commission's proceedings today.

17 Welcome. And please, the floor is yours.

18 GOLETA MAYOR PEROTTE: Thank you so much. It's
19 my honor to -- as the Mayor of the City of Goleta to
20 welcome you to the -- welcome the California State Lands
21 Commissioners. I think this is the very first time you've
22 had a public meeting in Goleta, so we're very honored and
23 thank you.

24 I prepared a few comments that I'd like to share.
25 Sharing Goleta City Hall with the Commissioners

1 and staff is particularly relevant today as we combine
2 forces to remove the fast -- last two shoreline oil wells
3 in Goleta, the Piers 421 facilities on Haskell's Beach.
4 The Piers 421 facility straddle the Goleta and State
5 jurisdictional boundaries and the Commission will be
6 considering full removal of these derelict facilities
7 today.

8 If you don't already know, we have been working
9 hard alongside the State Lands Commission staff to remove
10 old oil works, some dating back to the 1930s, from
11 Goleta's coastline. And we've been working with -- with
12 your staff for at least 10 years now. The successful
13 implementation of Beach Hazards Removal Project is
14 representative of the City of Goleta and State's ability
15 to collaborate, to share resources, and preserve to
16 restore our shared coastline to pre-oil era conditions.

17 More recently, the Goleta State partnership
18 served to facilitate the successful plugging and
19 abandonment of the 421 wells. The well plugging
20 eliminated the risk the wells posed to oil spills along
21 Haskell's Beach and beyond. Now, it's time to remove the
22 physical features of the -- the Pier 421 facilities.
23 Doing so will make the Haskell's Ellwood coastline safe
24 from the hazards these structures pose to our public and
25 the environment. Complete removal of the 421 facilities

1 inclusive of wells, caissons, piers, bluffed high
2 endpoints, and an access road that was artificially
3 installed over our sandy beach is evidence of our
4 transition away from fossil fuels.

5 Indeed, old oil and gas platforms, piers, and
6 wells are leaving our coastal waters for good. Our
7 coastline along Ellwood and Haskell's beaches will
8 ultimately be free of oil and infrastructure for the first
9 time in nearly 100 years. Our community and the
10 environment are safer because of these decommissioning
11 efforts. And for this, we can be proud.

12 Thank you to Jennifer Lucchesi, the State Lands
13 Commission Chief Executive Officer and her complete staff.
14 The relationship we have developed over these years is
15 fostered by your commitment to the Goleta community and
16 beyond. We are so grateful.

17 We share a similar vision of a natural Goleta
18 coastline, free from the oil works from the early 1900s,
19 and the meeting today is monumental from that regard.

20 Finally, as was introduced already, but I want to
21 welcome our State Lands Commissioners. We have
22 representing Lieutenant Governor, alternate, Chief of
23 Staff, Dr. Matt Dumlao; State Controller -- California
24 State Controller Betty Yee, and State Deputy Director of
25 Finance, Gayle Miller. Thank you so much for being here

1 today. We really appreciate it.

2 Thank you.

3 CHAIRPERSON YEE: Thank you very much, Mayor
4 Perotte, and really have been so fortunate to have this
5 shared partnership with the City of Goleta. And we will
6 continue to make progress together.

7 Thank you.

8 The next item of business will public comment.
9 And before I open up the public comment period for items
10 not on the agenda, first let me thank everyone, especially
11 our stakeholders and members of the public for taking the
12 time to join our meeting. Let me turn it over to Ms.
13 Lucchesi at this time to quickly share some instructions
14 about how we can best participate -- we can best
15 participate in this meeting, so that it can run as
16 smoothly as possible, including my tongue-tiedness.

17 (Laughter.)

18 EXECUTIVE OFFICER LUCCHESI: It's hard to get
19 back into the groove of an in-person meeting after taking
20 such a beautiful walk on the coast earlier.

21 So thank you, Chair Yee, Commissioners. For
22 public comment, we will take those members of the public
23 who are here in person first and then hear comments from
24 those members of the public who are participating
25 virtually.

1 If you would like to speak either during our open
2 public comment period or during a public comment period
3 that is part of an agenda item, please complete an
4 electronic request to speak from -- form available on our
5 website, our homepage. We will call you in the order in
6 which you submitted the electronic request to speak. For
7 those participating virtually, please make sure you have
8 your microphones or phones muted to avoid any background
9 noise.

10 To help us call on you through Zoom, please raise
11 your hand during the appropriate comment section one of
12 two ways. First, if you are attending on the Zoom
13 platform, please raise your hand in Zoom. If you are new
14 to Zoom, and you joined our meeting using the Zoom
15 application, you can click on the hand icon at the bottom
16 of your screen. When you click on that hand, it will
17 raise your hand.

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

1 individuals who have their hand raised -- who have raised
2 their hands in the order they are raised using the names
3 they registered with or the last three digits of their
4 identifying phone number. After you call -- you are
5 called on, you will be unmuted so you can share your
6 comments. Please also remember to unmute your computer or
7 phone and identify yourself.

8 Remember, you have a limit of three minutes to
9 speak on an item, and please keep your comments respectful
10 and focused. We will mute anyone who fails to follow
11 these guidelines or at worst dismiss them from the
12 meeting.

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

22 Chair Yee, that concludes my hybrid meeting
23 instructions. We are ready to move to the general public
24 comment period.

25 CHAIRPERSON YEE: Thank you, Ms. Lucchesi. So

1 our next order of business is the public comment period.
2 If anyone wants to address the Commission on any matter
3 not on today's agenda, I will call on those who are here
4 in person first. You will have three minutes to provide
5 your comments. And next, we will move on to those joining
6 us virtually.

7 Do we have sign-ups?

8 EXECUTIVE OFFICER LUCCHESI: So Katie will --
9 yes.

10 CHAIRPERSON YEE: Okay.

11 EXECUTIVE OFFICER LUCCHESI: So Katie
12 Robinson-Filipp will announce those who are going to
13 comment in person as well as virtually.

14 CHAIRPERSON YEE: Very good.

15 EXECUTIVE OFFICER LUCCHESI: So she's handling
16 all the public commenting virtually herself.

17 CHAIRPERSON YEE: Thank you, Katie. Over to you.

18 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
19 you, Madam Chair. At this time, we have no one signed up
20 in person to provide general public comment, so we'll move
21 on to the in virtual -- to the virtual public speakers.

22 For our first public speaker, we have Susanne
23 Cumming.

24 CHAIRPERSON YEE: Good afternoon, Susanne. Are
25 you there?

1 MS. CUMMING: Oh. Yes, I am. Thank you.

2 Good afternoon.

3 CHAIRPERSON YEE: Please proceed. Yes.

4 MS. CUMMING: Thank you. Good afternoon,
5 Honorable Chair and commissioners. My name is Susanne
6 Cumming. I'm a lawyer, member of Defend Ballona Wetlands,
7 and Sierra Club. I speak as an individual. California
8 Fish and Wildlife recently released a Request for
9 Qualifications for a contractor to begin work on design
10 and permitting of Sequence 1 and 2 of the bulldozing
11 project planned for the Ballona Wetlands Ecological
12 Reserve.

13 The area on the map includes significant acreage
14 that's owned by you the State Lands Commission. I ask
15 that you, the State Lands Commission, intercede and say no
16 to the installation of any new fossil fuel infrastructure
17 that the Sequence 1 and 2 would facilitate. Also, please,
18 as a Commission, ask the Governor to withdraw this project
19 and start over, based on new information about methane gas
20 and climate change impacts, and to new information about
21 sea level rise concerns.

22 Using correct sea level and flood control figures
23 needs to happen before certification, so that people can
24 actually comment on the real project. Again, please ask
25 the Governor to withdraw this project.

1 Thanks.

2 CHAIRPERSON YEE: Thank you very much, Ms.
3 Cumming.

4 Katie, our next public commenter.

5 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our
6 next public commenter is Marcia Hanscom.

7 CHAIRPERSON YEE: Good afternoon, Marcia.

8 MS. HANSCOM: Hi. Honorable Commissioners,
9 Marcia Hanscom with the Protect Ballona Wetlands.

10 I want to sort of expand a little bit on -- upon
11 what Susanne Cumming just mentioned. We're very concerned
12 about this new request or new announcement that just came
13 out from California Department of Fish and Wildlife
14 suggesting they're going to be spending some significant
15 State public resources, more than -- nearly \$2 million on
16 designing and getting permitting for a partial part of
17 this bigger project that is so controversial and so
18 destructive.

19 One of our big concerns is that the land that
20 they're looking at doing this on that is on their map that
21 they've put with the Request for Qualifications to a new
22 contractor is land that is owned by the State Lands
23 Commission, not the fresh water marsh, but the other land
24 that is owned by the State Lands Commission adjacent to
25 the fresh water marsh. And that land is very, very

1 fragile. It is -- and it's also a very important habitat.
2 There -- it's -- it's called non-tidal pickleweed habitat.
3 And there are bird species that come there and use this
4 habitat looking for food on their migrations and
5 they're -- these birds don't go anywhere else in the
6 ecological reserve. It's very fascinating that we've
7 documented numerous species there.

8 And we're just at a quandary as to why this
9 particular parcel -- or this particular area of the
10 Ballona Wetlands Ecological Reserve would even be
11 considered for bulldozing, and earth moving, and complete
12 habitat alteration. We really wonder if the State Lands
13 Commission has even been questioned about this or
14 conferred with. And we hope that you might be looking
15 very carefully at all the various agreements that your
16 Commission has made over the years with Fish and Wildlife
17 and other State agencies as to what your role is here,
18 because we believe that the State Lands Commission -- you
19 know, we're really grateful for all you've been doing for
20 decommissioning oil wells.

21 And this particular -- this particular notice
22 says that they will be moving gas infrastructure. And
23 we're very worried about this -- this entire matter and we
24 just want to make sure that you have oversight and that
25 the public has better input to this before they proceed.

1 We actually don't think they should be proceeding there,
2 but we really would like some better oversight.

3 So thank you very much.

4 CHAIRPERSON YEE: Thank you, Ms. Hanscom.

5 Katie, our next public commenter.

6 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
7 you, Madam Chair. We have three people who are currently
8 signed up to provide a public comment. However, I cannot
9 identify them on the attendee lease -- attendee list, so
10 I'll just ask that they raise their hand if they're on,
11 and then I'll come back to them.

12 Robert Roy van de Hoek, Chris Ku, and Mary Beth
13 Trautwein. And I'll come back to you -- to you, if you're
14 on the attendee list, if you'll just raise your hand.

15 Thank you.

16 So for our next speaker, we have Stegink Dan.

17 CHAIRPERSON YEE: Good afternoon.

18 MR. STEGINK: Thank you, Chair Yee and
19 commissioners. Can you hear me?

20 CHAIRPERSON YEE: Yes, we can hear you, Mr. Dan.

21 MR. STEGINK: Excellent and thank you.

22 CHAIRPERSON YEE: Please proceed.

23 EXECUTIVE OFFICER LUCCHESI: Chair Yee, I think
24 he muted himself.

25 CHAIRPERSON YEE: Mr. Dan, you are on mute.

1 MR. STEGINK: How about now?

2 CHAIRPERSON YEE: I can hear you. We can hear
3 you.

4 MR. STEGINK: Apologies.

5 I'm here today on behalf of a long lost
6 village -- indian village called Timigtac, where the first
7 Native Americans were enslaved to mine limestone for the
8 Pacifica -- sorry, the San Francisco Presidio and Mission
9 Dolores. You can see a PowerPoint I presented at the
10 California Coastal Commission at smcfree.com. Again
11 that's smcfree.com.

12 I'm going to -- in less then three minutes, I'm
13 going to read a couple quotes from some archaeological
14 studies I reviewed. At one time, I was adept at finding
15 ship wrecks. And it turns out the method of finding long
16 lost Indian villages is somewhat similar.

17 The first is a 1979 archaeological investigation
18 by Stephen Dietz. And it says, "the Headman of the San
19 Pedro village of Pruristace and one of his co-wives
20 brought two of their children to be baptized in February
21 1779. Along with them came two girls from Timigtac
22 commonly called la Calera. Calera Valley is now in the
23 location of Rockaway Beach in the City of Pacifica".

24 The second one I'm going to take -- talk about is
25 USGS San Andreas fault survey Early Mori Point history and

1 its quarry. And it says, "The Aramai Village of Timigtac,
2 thought to have been in the Rockaway Beach area, may have
3 existed at Mori Point. Whether these Indian people called
4 the place Timigtac or not, an archaeological survey in
5 1969 recorded a shell midden present leaving no doubt that
6 prehistoric people occupied this site. During the Spanish
7 period Mori Point was within the jurisdiction of the San
8 Francisco Padres at Mission San Francisco de Asis", which
9 is Mission Dolores.

10 From a Golden Gate National Recreation document,
11 "Beginning in 1776, they use indian labor to quarry
12 limestone at Mori Point for their projects at San
13 Francisco".

14 Also in 1963, caltrans identified two
15 pre-historic sites in the Rockaway Quarry called SMA-268,
16 and SMA-162.

17 Again, you can take a look at the presentation I
18 gave at California Coastal Commission. Wrapping it up,
19 Archaeologists agree that Timigtac was in Rockaway Beach
20 along Calera Creek, Native Americans were enslaved by the
21 Spanish Missions to mine limestone on that parcel for both
22 San Francisco's Presidio Fort and Mission Dolores, and
23 Native American shellmounds exist on that parcel.

24 Thank you very much.

25 CHAIRPERSON YEE: Thank you, Mr. Dan, for your

1 comments.

2 Katie, our next public commenters.

3 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
4 you, Madam Chair. Our next public commenter is Christina
5 Ku.

6 CHAIRPERSON YEE: Good afternoon, Christina.

7 MS. KU: Hi. Can you hear me?

8 CHAIRPERSON YEE: Barely.

9 MS. KU: Barely. Okay.

10 CHAIRPERSON YEE: That's better.

11 MS. KU: Is this any better?

12 CHAIRPERSON YEE: Yes. Thank you.

13 MS. KU: Oh, okay. Great. Yes. Thank you so
14 much for the opportunity to speak here. And basically we
15 really wanted to speak up for the Ballona Wetlands, which
16 is in Southern California. And much of the land is under
17 the State Lands Commission's control.

18 And, you know, we're just citizens who are living
19 in this beautiful area. And we see every day all the
20 wildlife and the different kind of, you know, native plant
21 species there. I mean, there are over 1,700 different
22 kinds of species of animals and plants there. And we just
23 do not need State Lands to be supporting more of fossil
24 fuel, of gas and oil in this country or on this planet.

25 And I'm sure you're all aware of all the dangers,

1 and climate change, and habitat loss, and wildlife loss,
2 and dangers to human. I mean, you all know what happened
3 to the gas explosions in Aliso Canyon a few years ago, a
4 huge disaster. And I know we're all trying to prevent
5 that. And it's going to happen here at the Ballona
6 Wetlands with SoCalGas old storage tanks. We have gone by
7 and see bubbles coming out of water. We have videos of
8 that and we have pictures of them, you know, starting to
9 drill and do all this damage and them wanting to lift up
10 millions of cubic yards of soil from that. And they don't
11 see that as damaging or destroying the wetlands.

12 So all of this information has been so
13 frustrating. And the California Department of Fish and
14 Wildlife has just not been so forthright with what they're
15 doing and keep calling it restoration. We've got
16 scientists and ecologists who have come on board and said
17 what they're doing -- what the Department of Fish and
18 Wildlife and what SoCalGas what they're planning to do is
19 not restoration at all. They've been able to hire, you
20 know, expert promotion advertising folks to come up with
21 this scheme.

22 And I tell you, the public really sees through
23 this, and that's why the website
24 defendballonawetlands.org, we have thousands and thousands
25 of people, public citizens who live around this area. We

1 know the truth and we know what they're doing. We've
2 signed on to not supporting fossil fuel, not supporting
3 SoCalGas, not supporting Department of Fish and Wildlife
4 to do any of this and destroying the last wetlands in Los
5 Angeles.

6 If you go by there, you'll see all the beauty and
7 all the nature. And come onto the website and you'll
8 check out the beautiful photos that our local
9 photographers have captured to prove to you, to the
10 public, to all the government entities that this place is
11 a place to save for humans, for oceans, for all the
12 residents down here, and all the wildlife. So please say
13 no to fossil fuel. Thank you.

14 CHAIRPERSON YEE: Thank you, Ms. Ku for your
15 comments.

16 Katie, our next public commenter.

17 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
18 you, Madam Chair. Our next public speaker is Jane
19 Velez-Mitchell. And again, if Robert Roy van de Hoek or
20 Mary Beth Trautwein are in attendance, I'd just ask that
21 you please raise your hand, so that we can call on you
22 later.

23 CHAIRPERSON YEE: Good afternoon, Jane.

24 MS. VELEZ-MITCHELL: Hello. And are you able to
25 hear me?

1 CHAIRPERSON YEE: We can hear you.

2 MS. VELEZ-MITCHELL: Thank you so much. Thank
3 you for the opportunity to speak. My name is Jane
4 Velez-Mitchell. I'm a journalist, author, and film maker
5 living near the Ballona Wetlands Ecological Reserve in
6 Playa del Rey and I am speaking today to you to beg you,
7 literally beg you, to use your powerful voices to tell
8 Governor Newsom and other decision-makers not to bulldoze
9 the Ballona Wetlands.

10 The California Department of Fish and Wildlife
11 wants to start to do work on a portion of the Ballona
12 Wetlands that is apparently owned by the State Lands
13 Commission. Please, say no. The morally and
14 environmentally responsible decision is to shut down the
15 crumbling SoCalGas facility that sits deep under the
16 Ballona Wetlands and not proceed with this greenwashing
17 plan that purports to be a restoration, but is, in fact, a
18 wholesale destruction of the wetlands. Please say no to
19 any new fossil fuel infrastructure. And I just urge you
20 to be on the right side of history.

21 Engineers who designed this project used
22 incorrect flood risk standards. And that's why the U.S.
23 Army Corps of Engineers has not given its final stamp of
24 approval for this controversial project. There are six
25 lawsuits right now against this project. For people like

1 me living near the wetlands, the flood risk standards are
2 very important to get right, especially given the concerns
3 about sea level rise on the coast. It makes no sense to
4 approve a plan that would involve destroying levees at a
5 time of rising sea levels.

6 I just urge you to be on the right side of
7 history. Now, the bulldozing is going to take an area
8 that currently absorbs carbon, and through the very active
9 bulldozing, turn it into an area that releases carbon into
10 the atmosphere. This, of course, is wildly irresponsible
11 at a time of climate crisis. The bulldozing plan will
12 also take an area that is home to 1,700 species, including
13 threatened and endangered species, and completely destroy
14 their home and they have nowhere else to go. This is LA's
15 very last coastal wetlands.

16 This is wildly irresponsible at a time when we
17 are in the midst of the sixth mass extinction, and we are
18 begging other nations like Brazil not to bulldoze their
19 wetlands and decimate their wildlife. Again, this is
20 classic greenwashing. SoCalGas, along with developers
21 eyeing millions of dollars in contracts, thought they
22 could slap the word "Restoration" on this destructive plan
23 and get away with it, but the truth has come out. And
24 again, that's why there's half a dozen lawsuits against
25 this very destructive plan.

1 We have also learned that the so-called
2 environmental groups that rubber stamped this bulldozing
3 plan were later revealed to have taken sizable donations
4 from SoCalGas. Indeed, one such environmental group had
5 to go before the LA City Council and promise never to do
6 that again. And the City Council proceeded to vote for a
7 recommendation to shut this facility down, the SoCalGas
8 facility.

9 The claim that this area is dying is nonsense. I
10 personally can testify in a court of law that I see the
11 wildlife on a daily basis.

12 CHAIRPERSON YEE: Ms. Velez-Mitchell, your time
13 has expired, but please complete your sentence.

14 MS. VELEZ-MITCHELL: Okay. Thank you. I'll just
15 end by saying I -- why am I here? I see the wildlife on a
16 daily basis. I saw 26 pelicans just the other day and I
17 videotaped them to show proof. I see the egrets. I see
18 the foxes. I see the owls. And they're all timestamped
19 photographs. Why are we killing these animals when they
20 have nowhere else to go, when we're in the midst of the
21 sixth mass extinction. I just -- I just beg you to
22 please, please be on the right side of history.

23 Thank you so much.

24 CHAIRPERSON YEE: Thank you very much.

25 Katie, our next public speaker.

1 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our
2 next speaker is the Jeanette Vosburg.

3 CHAIRPERSON YEE: Good afternoon, Jeanette.
4 Jeanette, can you hear us?

5 MS. VOSBURG: Good afternoon, Coastal
6 Commissioners. I'm Jeanette Vosburg with Grassroots
7 Coalition, an Outreach Coordinator.

8 And as you may know, Ballona Wetlands Ecological
9 Reserve is 533 acres that have been designated as a
10 groundwater-dependent ecosystem. It has three underlying
11 fresh water aquifers. It's fresh water is at or near the
12 surface. Thanks to your support, and Grassroots
13 Coalition -- well, thanks to the Coastal Commission's
14 support and Grassroots Coalition's winning lawsuit, two
15 illegal drains were capped in 2017. And now when it
16 rains, fresh water ponds both north and south of Culver
17 Boulevard in Area B.

18 Grassroots has advocated for years for a
19 sustainable alternative in the final Environmental Impact
20 Report. In 2021, four different environmental
21 organizations, were alluded to a moment ago, including
22 Grassroots Coalition and, Ballona Ecosystem Education
23 Project, and others. They all filed lawsuits objecting to
24 the absence of a fresh water restoration alternative.

25 We and many members of the public have been very

1 vociferous about our opposition to the full tidal creation
2 proposed. And now 15 years after Bolsa Chica had this
3 same in quotes restoration process visited upon them using
4 a full tidal solution, now a new report in 2021 is calling
5 for remediation of the so-called restoration by closing
6 the full tidal solution that they used.

7 We're advocating learning from Bolsa Chica's
8 mistakes. We need to use, and other -- other people --
9 other commissioners are saying we need to look at the
10 current sea level rise data. We. Need to acknowledge
11 that California's in the worst drought in 200 years -- or
12 1,200 years they're predicting. And before we rush into
13 this failed approach, we ask to have the Ballona Wetlands
14 Ecological Reserve Final Environmental Impact Report
15 withdrawn and redone. We urged corrections of the errors
16 and inconsistencies. We use -- we suggest using a paid
17 professional facilitator, where all of us can talk about
18 things that we've objected to over -- you know, right now
19 and all the way back 30 years of time.

20 Thank you very much.

21 CHAIRPERSON YEE: Thank you, Ms. Vosburg.

22 Katie, our next public speaker, please.

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

25 CHAIRPERSON YEE: Good afternoon, Robert.

1 MR. VAN DE HOEK: Hello. Good afternoon.

2 CHAIRPERSON YEE: Good afternoon. We can hear
3 you. Please proceed.

4 MR. VAN DE HOEK: Okay. I recognize your voice.
5 Hello, Betty Yee, Chairwoman of State Lands Commission.
6 Appreciate the time. I had great difficulty through the
7 Zoom and somebody helped me out pretty well through the
8 phone effort, but I'm here now.

9 Okay. Ready to make a comment. I'm an
10 environmental scientist and my name is Robert van de Hoek.

11 And I wish to tell you and inform you that the
12 three-member -- and I'm not speaking to the Ballona
13 Wetlands like the other people. I'm speaking directly to
14 what's called freshwater marsh, which is actually also
15 officially and legally referred to as a detention,
16 retention pollution basin for freshwater runoff from the
17 Playa Vista development for the last, oh, 20 years, fresh
18 water -- urban fresh water comes into this area, but it
19 immediately turns into brackish and salt water, because
20 the soil is saline. And it's not a sustainable project.
21 And I'm asking the State Lands Commission to revisit the
22 agreement that you've set up there and initially and to
23 have a more public and transparent process.

24 It's not sustainable and the fresh water that
25 comes there turns salt -- saline, because of the soil

1 again. And there's an extensive recycled water pipeline
2 that brings nitrogen enriched fresh water, not rainwater
3 fresh water, but nitrogen enriched from the sewage
4 treatment plant. And that suppresses the salts with --
5 through a hydrology process called capillary action,
6 similar to growing vegetable crops in salty soil. If you
7 put a lot of fresh water on it, you can suppress the
8 salts. And then after a few hours after you stop having
9 the sprinkler running, the salts come back up. And
10 there's all kind of salt marsh plants there. And all the
11 trees that were planted in the State Lands Commission
12 detention basin, the trees are dying that are -- have been
13 planted there, because the roots have reached into the
14 salt soil.

15 It's not functional and it used to be that the LA
16 City Council and the State Controller had a seat on a
17 three-member conservancy board to manage it. But the City
18 Council and the State Controller has been removed and the
19 State Department of Fish and Wildlife, somehow
20 untransparently with the public not getting to know,
21 became a member of that. And so they are driving the
22 project that you've heard others talking about and they
23 are kind of taking over your juris -- your State Lands
24 Commission land. And I think it's time to have a new
25 revisit. And we are trying an approach to the State

1 Legislature to have a law amended to change the State
2 Lands Commission direction. But I think you can do the --
3 you can make the change internally through a vote of your
4 commissioners. Thank you for -- there's so much more I
5 wanted to say, but thank you for the extra time.

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

8 Katie, our next public speaker, please?

9 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
10 you, Madam Chair. At this time, we have no other hands
11 raised or no one else on the speaker list to provide
12 public comment.

13 CHAIRPERSON YEE: All right. Thank you very
14 much, Katie. Thank you, commissioners.

15 Our next item of business will be the adoption of
16 the minutes from the Commission's meeting of February
17 25th, 2022. May I have a motion to approve the minutes
18 and second.

19 ACTING COMMISSIONER MILLER: Move approval

20 CHAIRPERSON YEE: Okay. We have a motion by
21 Commissioner Miller.

22 ACTING COMMISSIONER DURLAO: Second.

23 CHAIRPERSON YEE: Seconded by Commissioner
24 Dumlao.

25 Any objection to a unanimous vote?

1 Okay. Hearing none, such will be the order.

2 Commissioners, before we proceed to the next
3 order of business, which is the Executive Officer's
4 report, I'd like to take a moment of personal privilege to
5 pay tribute to a colleague who departed us recently, and
6 that is former Deputy Controller of Environmental Policy
7 Anne Baker.

8 Anne was a friend to many of us, a colleague,
9 first and foremost, and a friend as well for many years
10 with many of us in this room. But just a little bit about
11 her life. And I will say that my office has been quite
12 reeling over the news for the last few weeks. It's hard
13 to really put your arms around the impact that she's had
14 as an environmental leader here in California, but I'm
15 going to try to just give it some color, if I can.

16 Born to parents who really encouraged her and her
17 brother David to follow their passions, Anne chose to
18 apply her strong analytical skills to democratic causes.
19 And in that vein, just known for her brilliance, and her
20 articulateness, and energy, and practicality, pragmatism,
21 she was elected as the youngest member of Maryland House
22 of Delegates. And as a Maryland legislator, a member of
23 the Democratic National Committee. She was an old school
24 Democrat, really focused on getting the work done and
25 serving the people.

1 And her life would be changed forever when she
2 met her future husband Bill Stall, who was a former Los
3 Angeles Times writer and Pulitzer Prize winner who died in
4 2008. Their relationship was one that would have been the
5 envy of many. Just following their passions and their
6 causes with just, I would say, wild abandon, because both
7 had just tremendous commitment and dedication to their
8 craft. But Anne, I think for many of us in this room,
9 would agree that she loved her work. She was a true
10 comrade with anyone with whom she worked. And I know she
11 did a lot of mentor -- mentoring of young people who
12 really wanted to get into the environmental policy space.
13 But really just in addition to being a mentor, she just
14 was a great partner to work with. And anything related to
15 how we have improved on protecting our air, water, and
16 lands here in California, Anne Baker had a hand in really
17 helping to do that.

18 She served multiple Controllers. She has served
19 under former gubernatorial administration, been in
20 every -- every capacity. Was never afraid to take on a
21 challenging policy task. And I felt like her home was
22 really here at the State Lands Commission in so many ways,
23 because she loved this work, because it was never about
24 being knee jerk. It was always about really just buckling
25 down and doing the work, which I think is a hallmark of

1 this Commission.

2 And as I think about the legacy that she leaves
3 with this Commission, she started with me as I took off as
4 State Controller, and we both were in her office marveling
5 at the fact that the State Lands Commission didn't have a
6 strategic plan, and never had one since its inception. So
7 we decided that that would be the first order of business
8 during our tenure on the State Lands Commission. And it's
9 really highlighted I think the work of how this Commission
10 proceeds every day, and that is stakeholder based,
11 publicly engaged, and we now have I think a strategic plan
12 that all of us can be proud of. And as we saw this
13 morning during our tour of the Pier 421 decommissioning
14 site, this work is ever evolving.

15 And what I would say about Anne, and I think all
16 of us knew this too, is that she wasn't the most patient
17 person, but she was impatient about inaction. She was
18 impatient about uninformed action. And what I know she
19 would be particularly proud of in terms of what this
20 Commission continues to do is our continual strengthening
21 of our relationship with our tribal communities and our
22 tribal consultation process, our continuing improvement in
23 the execution of our Environmental Justice Policy, but
24 more importantly, always, always applying the best
25 available science and really having the team here at the

1 State Lands Commission be world renowned in terms of the
2 work that we are doing and -- but not doing it for the
3 fanfare, doing it because it's tough work and it's work
4 that needs to be done.

5 And so I'm really just honored to pay a bit of
6 tribute to a dear friend, a dear colleague, and someone
7 who I know we will all miss dearly as we continue this
8 work. And I know her memory will continue to be a
9 blessing for so many of us in this room, that may her life
10 continue to inspire the actions that we take from this day
11 forward.

12 Rest in peace, Dear Anne.

13 Let me just open it up to my fellow commissioners
14 to see if there are any comments.

15 Commissioner Dumlao.

16 ACTING COMMISSIONER DURLAO: I did not know her
17 as long as you did, Chair, but from the moment I met her,
18 I think the word tenacity really jumped out at me. And we
19 were fortunate to share some similar former bosses. And
20 her reputation in a very, very good way preceded her. And
21 I cannot think of how those major environmental policies
22 could have gotten done without her work.

23 She was an incredible policymaker. And, you
24 know, I think staff likes to so often just be in the
25 background and don't get credit and don't want it. And I

1 think she would probably be the same way in a lot of ways,
2 but she deserves a tremendous amount of credit for
3 everything that she did for this state. So thank you.

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

6 ACTING COMMISSIONER MILLER: Madam Controller, I
7 think all your words about Anne's legacy, and leadership,
8 and commitment, and understanding of these really
9 important issues really meant the world to me. She was a
10 colleague, and a friend, and a mentor, and her memory is
11 certainly a blessing. And I -- I sincerely hope that I
12 can -- I can manage a career like Anne did with such grace
13 and professionalism, and also hope that she is -- she is
14 resting in peace, and is with Bill and (inaudible)

15 Thank you.

16 CHAIRPERSON YEE: Thank you, Commissioner Miller.

17 Let me just make one last note. I know she was
18 particularly proud of this being an all-women Commission.
19 And she was someone who mentored women really without any
20 hesitation. And to think about the women that we now have
21 now in the climate space is just really quite phenomenal
22 and Anne's hand on recruiting many of them. But Ms.
23 Lucchesi, you being really a brilliant star in her -- in
24 her life and for many of the Coastal Commissioners as
25 well, Commissioners Brownsey, Bochco, Shallenberger. I

1 mean, there just have been so many who have been great
2 partners in this work.

3 And I -- as I mentioned, I think the best that we
4 do in terms of paying tribute to Anne is to continue the
5 work -- continue the work that she has started.

6 And I think with that, let me turn it over to
7 you, Ms. Lucchesi.

8 EXECUTIVE OFFICER LUCCHESI: Certainly. Thank
9 you.

10 CHAIRPERSON YEE: Thank you, Commissioners.

11 EXECUTIVE OFFICER LUCCHESI: Thank you so much,
12 Chair Yee for the -- that beautiful tribute and
13 Commissioners for your memories. I was one of the lucky
14 ones that got to be mentored by Anne. I learned so much
15 about the inner-workings of how to actually get policy
16 made and how to implement policy. And there were times --
17 I'm a -- personally, I'm a very reserved person. She
18 taught me to be direct, and ask exactly what you want, and
19 in fact when you know it's the right thing, you demand it.
20 And I can't even begin to think about how much I absorbed
21 in just the space that I was able to occupy with her over
22 the past seven years. She will be greatly missed and she
23 was a wonderful colleague, and friend, and mentor. So
24 thank you for that beautiful tribute, Chair Yee.

25 CHAIRPERSON YEE: Commissioners, our next order

1 of business is Executive Officer's report. Ms. Lucchesi,
2 may we have that report.

3 EXECUTIVE OFFICER LUCCHESI: Certainly. I would
4 like to update the Commissioners and members of the public
5 about a number of different oil and gas projects we're
6 working on.

7 First, just an update on the pipeline 0919,
8 Platform Eva to shore pipeline incident. As you
9 remember -- as you may remember on December 22nd of last
10 year, DCOR, Commission lessee and operator of multiple
11 offshore oil and gas operations reported a sheen off the
12 coast of Orange County. An investigations found that
13 pipeline 0919, which transports oil from State -- the
14 state Platform Eva to shore was the source of the
15 discharge. We have been working closely with OSPR, the
16 Fire Marshal, DCOR, and other State and federal regulators
17 to assess the situation and continue to investigate the
18 pipeline to pursue repairs. Platform Eva and the pipeline
19 continue to remain shut-in. Additional pipeline internal
20 and external corrosion surveys are being conducted and
21 analyzed. And DCOR is exploring options to repair or
22 replace the pipeline in consultation with Commission staff
23 and the State Fire Marshal and subject to regulatory
24 review and approval.

25 Next, I want to update the Commission on the

1 Rincon Phase II Decommissioning Project. As you know, we
2 completed the plug and abandonment of all 75 wells
3 associated with those leases last year. We have moved on
4 to Phase II, which is the feasibility study for the future
5 disposition of the island, the causeway, and the onshore
6 facilities.

7 On March 17th, we released a draft feasibility
8 study for a 60-day public review and comment period. On
9 May 4th, we'll be hosting a virtual public meeting to
10 discuss the draft feasibility study and receive comments.
11 We have notified all -- the community, interested parties,
12 tribal governments, and others about the meeting and
13 posted information on our website. After the comment
14 period closes, we will revise the draft feasibility study
15 to incorporate the comments received, finalize it, and
16 then present it to the Commission for your consideration
17 at a public meeting later this year.

18 The CEQA analysis will begin after the Commission
19 acts on the feasibility study and a proposed project and
20 alternatives are identified for further analysis.

21 Next, I do want to update the commission on our
22 efforts at Platform Holly. We continue to maintain
23 Platform Holly and onshore facilities to ensure public
24 health and safety. Staff, Exxon, and their subcontractors
25 have continued to plug and abandon the wells on the

1 platform with nine of the 30 wells sealed and installed
2 with surface plugs. Operations are now proceeding in a
3 phased approach. Six of the remaining 21 wells require
4 more involved abandonment procedure. And those wells have
5 been prepared for final abandonment operations.

6 We are on track to final -- to complete -- excuse
7 me, complete plugging and abandoning of all 30 wells by
8 the end of this year, which is a huge accomplishment
9 especially given the delays with the COVID pandemic.

10 We plan later this year or early next year to
11 come to the Commission with a request for authorization to
12 hire a consultant to then conduct a feasibility study on
13 the ultimate disposition of Platform Holly and pursue the
14 CEQA analysis necessary. So we are moving forward with
15 that decommissioning analysis as soon as we can as we
16 complete the plugging and abandonment operations.

17 And finally as it relates to project updates, in
18 February and March, we performed two diver surveys at
19 Summerland Beach and around Rincon Well 102. And the
20 findings of those surveys indicated that two wells along
21 the Treadwell Pier are leaking, Treadwell 1 and Treadwell
22 5. We are continuing to monitor and investigate all the
23 wells and seepage reports off of Summerland Beach. And
24 our staff and our contractor InterAct are preparing cost
25 estimates and engineering plans to reabandon those two

1 Treadwell wells later this year.

2 And finally, in conclusion, I also want to
3 acknowledge and honor a former State Lands employee who
4 also recently departed us, Jim Trout. Jim Trout was our
5 former Assistant Executive Officer for many careers and he
6 also moved over to the Department of Fish and Wildlife
7 under Governor Gray Davis, and then Executive Director Bob
8 Hight.

9 He returned to us when he retired and continued
10 to serve the Commission and our work at Bolsa Chica for
11 many years as a retired annuitant. He was an incredible
12 mentor, patient, thoughtful. And one of my favorite
13 memories of him that was relayed to me by one of our other
14 former Assistant Executive Officers, Dave Brown, was what
15 Jim taught Dave and many others at our agency was that if
16 you aren't making mistakes, you aren't trying hard enough.

17 And that is something that I don't think is said
18 enough in government. It's easy not to do something in
19 government, because you won get in trouble. Jim believed
20 in something completely opposite of that, that we aren't
21 doing our job as public servants unless we are trying, and
22 pushing the limits, and doing all that we can in the name
23 of public good.

24 So with that, I want to acknowledge his passing
25 and his incredible legacy to the Commission, to the people

1 of the State of California, as well.

2 Thank you.

3 CHAIRPERSON YEE: Thank you, Ms. Lucchesi for the
4 report. And the Commission expresses our deepest
5 condolences to both the families of Jim and Anne.

6 Commissioners, any questions or comments on the
7 report?

8 Okay.

9 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

10 CHAIRPERSON YEE: Yes.

11 EXECUTIVE OFFICER LUCCHESI: If I may, one last
12 thing on my notes I forget to mention. I also wanted to
13 really extend our heartfelt gratitude to Mayor Perotte and
14 her entire City of Goleta team. We have been hosting a
15 number of town halls pre-pandemic at the City of Goleta
16 Council Chambers since we took over the operations at
17 Platform Holly. And as you can see, the facilities are
18 amazing. The people that work for the city and help
19 support us in these efforts are incredible. And frankly,
20 I couldn't wait to get the Commission here to experience
21 it themselves.

22 And so this being our first in-person meeting
23 after two years, especially with all the work that we're
24 doing out here in Goleta and the Santa Barbara Channel, I
25 just think it's really great that our first in-person

1 meeting is with the City of Goleta in their beautiful city
2 council chambers with their support as hosts.

3 So thank you.

4 CHAIRPERSON YEE: Great. Thank you very much,
5 Ms. Lucchesi. And, yes, thank you, Madam Mayor. This is
6 really a wonderful setting to have our first in-person
7 meeting and very impactful to be here and with the
8 community.

9 Thank you, Ms. Lucchesi.

10 Commissioners, our next order of business will be
11 the adoption of the consent calendar. Let me just turn to
12 the commissioners to see if there are any items that you
13 would like to see removed from the consent calendar?

14 No. Ms. Lucchesi, how about any items from your
15 end?

16 EXECUTIVE OFFICER LUCCHESI: Yes, I am -- will be
17 remove -- I have removed consent items 32, 37, and 42 from
18 the agenda. Those will be considered at a future
19 Commission meeting.

20 CHAIRPERSON YEE: Okay.

21 EXECUTIVE OFFICER LUCCHESI: Consent items 26,
22 44, and 56 are removed from the consent agenda and moved
23 to the regular agenda, where they will be considered after
24 our regular agenda items already listed.

25 And we -- those are removed to the regular

1 agenda, because we have received requests to speak on
2 those items, and express their concerns about those items
3 to the Commissioners.

4 CHAIRPERSON YEE: Okay. Very well. Thank you.

5 So with those items noted removed from the
6 consent calendar and those that are now added to the
7 regular agenda, is there a motion to approve the remainder
8 of the consent calendar?

9 ACTING COMMISSIONER MILLER: Move approval of the
10 consent calendar.

11 CHAIRPERSON YEE: Okay.

12 EXECUTIVE OFFICER LUCCHESI: Chair -- Chair Yee,
13 may -- I'm sorry to interrupt. I just want to make sure
14 that we don't have anybody online --

15 CHAIRPERSON YEE: Oh, I'm sorry. Yes.

16 EXECUTIVE OFFICER LUCCHESI: -- that wants to
17 speak on any of the consent agenda items.

18 CHAIRPERSON YEE: Thank you. Let me turn to
19 Katie.

20 Katie, any members of the public who wish to
21 speak on this item?

22 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
23 you, Madam Chair. At this time, we have no public
24 commenters for this item.

25 CHAIRPERSON YEE: Very well. Thank you.

1 We have a motion by Commissioner Miller.

2 ACTING COMMISSIONER DURLAO: Second that.

3 CHAIRPERSON YEE: Seconded by Commissioner
4 Durlao.

5 With objections, such will be the order. Thank
6 you very much.

7 All right. Let me see, next order of business
8 will be the regular calendar. We will move now to item
9 59, which is to consider certification of the Final
10 Environmental Impact Report and authorization to proceed
11 with Component 1 of the Pier 421 Decommissioning Project.
12 So may we have the presentation.

13 Good afternoon, Joe.

14 SENIOR ATTORNEY FABEL: Good afternoon.

15 So good afternoon, Madam Chair, commissioners.
16 My name is Joe Fabel. I'm a Senior Attorney here with the
17 Commission. It's my honor to be able to present at this
18 first in-person meeting in the last two years. It's also
19 my distinct pleasure to be presenting today Item 59, which
20 is the PRC 421 Decommissioning project.

21 Now, five years ago, this very month in April
22 2017, Venoco quitclaimed its offshore leases to the
23 Commission deserting its oil and gas facilities both in
24 Platform Holly and the 421 Piers. The Commission, of
25 course, and other agencies stepped up and stepped in to

1 protect human health and safety and organize the
2 decommissioning of those offshore assets. As well plug
3 and abandoned -- sorry. As well plug and abandonment
4 rather, as the EO reported, moves towards completion,
5 staff is now turning its attention to facility removal.

6 --o0o--

7 SENIOR ATTORNEY FABEL: Now, the 421
8 decommissioning project is the Commission's first major
9 decommissioning in the Ellwood fields. The piers
10 themselves lay in the tidal zone on Haskell Beach and are
11 reached by an access road, which also contain
12 transportation pipelines. Each caisson of the two housed
13 one well each, and neither of which have produced in
14 decades.

15 Lease 421 produced from a separate reservoir from
16 offshore Holly, and the oil that it did produce
17 historically was sent to the Ellwood Marine Terminal,
18 which was decommissioned in 2012.

19 --o0o--

20 SENIOR ATTORNEY FABEL: Now the 421 Piers are the
21 remnants of pier-based oil production in the Santa Barbara
22 Channel. Lease 421 was operated and assigned to various
23 oil companies, the last of which being from Mobil Oil
24 Corporation assigned to Venoco in 1997.

25 After Venoco's 2017 quitclaim to the Commission,

1 and as part of its prior obligation, ExxonMobil did agree
2 to plug those two wells on the caissons. Now, they've
3 again agreed to remove the improvements placed within
4 Lease 21 -- 421. To facilitate removal, staff did prepare
5 an Environmental Impact Report, as required under the
6 California Environmental Quality Act. For reasons I'll
7 get to here in a moment, staff analyzed the total
8 decommissioning project that reaches outside the
9 territorial boundaries of lease 421.

10 The project as analyzed consists of two parts.
11 The first, Component 1, it's the removal of the large
12 caisson and pier structures which rest in the tidal zone.
13 The work requires use of heavy equipment during low tide
14 cycles, which will get down to the beach by a temporary
15 ramp located west of the worksite, which would be removed
16 after the work is completed.

17 Now, given the age of the structures, the biggest
18 challenge, of course, is the safe removal of the degraded
19 caisson walls, which right now contain soil that is
20 saturated with hydrocarbons just due to years of
21 production. Now, the work is going to be undertaken by
22 Exxon, which right now is in the process of selecting a
23 contractor. And that work overall, once mobilization
24 starts, is anticipated to take about six months.

25 --o0o--

1 SENIOR ATTORNEY FABEL: Now, Component 2, it's
2 the removal of a 1,200 foot access roadway that served the
3 oil piers. The pier abutments that interface with the
4 roadway and a six-inch and a two-inch pipeline that run
5 between the piers buried in the roadway and the 12th tee
6 of the Sandpiper Golf Course. Heavy equipment will remove
7 the rock riprap and the underlying soil with a natural
8 grade being left to the cliff face.

9 Now Component 2 could start near the very end of
10 Component 1. Generally, you need the roadway in order to
11 get the equipment for Component 1 down to the beach, but
12 Component 2 itself is slated to take about six months --
13 or sorry, three months, my apologies, estimated. Both the
14 road itself and the pipelines are on private land owned by
15 the golf course.

16 --o0o--

17 SENIOR ATTORNEY FABEL: Now, CEQA, as we know,
18 it's very procedurally driven. In June last year, staff
19 issued the Notice of Preparation and held a Scoping
20 meeting. Staff formed a joint review panel with the
21 Commission's strategic partners, the City of Goleta, and
22 the California Coastal Commission, which allowed those
23 agencies input very early in the process. In January, a
24 Draft EIR was released for public comment and a Final EIR
25 was published in late May -- March.

1 --o0o--

2 SENIOR ATTORNEY FABEL: The EIR identified
3 potential significant impacts in a variety of areas. The
4 main takeaway though is that all impacts will be reduced
5 to less significant with mitigation measures applied. The
6 EIR also analyzed and found this true for both Components
7 1 and 2 individually, and for both components together as
8 an aggregate project.

9 --o0o--

10 SENIOR ATTORNEY FABEL: Now, it's not quite a
11 surprise when decommissioning derelict oil structures, but
12 there are some benefits that staff have identified to
13 undertaking this work, namely by removing the risk of oily
14 soil contained within the caissons themselves, increasing
15 the amount of usable beach, and, of course, the esthetics
16 by removing these old derelict structures.

17 --o0o--

18 SENIOR ATTORNEY FABEL: Now, a number of agencies
19 and groups did comment on the EIR. Generally, the
20 comments were in support of the project with many
21 expressing hope that the full project, both Components 1
22 and 2, are undertaken. All comments were addressed and
23 responded to in the Final EIR.

24 --o0o--

25 SENIOR ATTORNEY FABEL: Now, regarding

1 permitting, we have received the Army Corps permit for
2 Component 1 and staff anticipate other permits to soon
3 follow after certification of this EIR. Staff are hopeful
4 that Component 1 could begin possibly as early as the
5 month of August mobilization.

6 --o0o--

7 SENIOR ATTORNEY FABEL: Now, I do want to make
8 crystal clear what staff is asking the Commission for
9 today. Staff is asking that the Commission certify the
10 EIR, which analyzes the environmental impact of both
11 Components 1 and 2, but staff is asking that the
12 Commission authorize work for that part of the project
13 within its jurisdiction, which is just Component 1.

14 We've been clear in the EIR, at hearings, and in
15 conversations with stakeholders that the Commission is
16 limited to approving the removal of improvements on public
17 lands, in this case the piers and the caissons. And I'll
18 discuss why.

19 The Public Resources Code in color given to it by
20 the courts, puts the Commission's relevant jurisdiction
21 here waterward of the mean high tide line. Component 2,
22 the roadway and piping sit landward of that line on
23 private uplands, outside of our jurisdiction.

24 Secondly, ExxonMobil is undertaking Component 1
25 at its expense. That obligation is contractual and tied

1 to lease 421, which was an interest in land that sat
2 waterward of the mean high tide line. The roadway and
3 pipeline easement were negotiated, approved, and placed
4 under the authority of land control agencies and private
5 parties outside of the Commission's control. And
6 generally, the Commission cannot force one party to
7 perform the obligations of separate agreements.

8 And finally, what money has been given to
9 Commission, and there have been appropriations overall for
10 the South Ellwood Field work, are operations and
11 maintenance tied to the plugging and abandonment
12 generally, but not for removal of facilities on private
13 uplands.

14 Now, as of today, there's no identified funding
15 or responsible party identified for Component 2, but staff
16 are working with agency partners, including City of Goleta
17 and the Coastal Commission to facilitate grant
18 opportunities for coastal remediation, to allow a local
19 agency to undertake that work. The EIR analyzed Component
20 2 generally at the request of the City of Goleta and the
21 Coastal Commission, given their interest and -- as well as
22 staff's interest in eventually undertaking that work, and
23 as an efficiency measure, because by analyzing this
24 Component 2 now, that saves having to reanalyze it further
25 down the path.

1 There is still time for the stars to align and
2 start that work soon after completion of Component 1. But
3 because we do have Exxon today willing and prepared to
4 start work, staff believe that Component 1 should be
5 approved and undertaken on its own merits. So we ask the
6 Commission to please affirm staff's recommendation for
7 authorization.

8 Thank you very much.

9 CHAIRPERSON YEE: Thank you very much, Joe, for
10 the presentation.

11 Commissioners, any questions or comments at
12 this -- yes. Commissioner Miller, please.

13 ACTING COMMISSIONER MILLER: Just -- thank you so
14 much and again thank you to the Commission for the tour.
15 I was really glad to see so many people and learned a huge
16 amount. It really does make a difference to be out there.
17 And you did a great job explaining it.

18 So because I didn't fully understand this, what I
19 think maybe I hope is helpful for others is just to
20 understand kind of the -- how Platform Holly and the
21 Ellwood site, I know we're not -- we're only dealing today
22 with just the -- just this piece of these -- the two piers
23 and decommissioning them. It's sort of the longer term
24 plan as you look out and you see so many different areas
25 that eventually will need to be decommissioned. So I just

1 think explaining kind of the cadence of events of
2 potentially what could happen as we consider future EIRs.
3 And then -- and I know as part of that will be also
4 determining the cost for that and who bears that cost.

5 And then I say this often, but obviously the
6 biggest takeaway and what we've learned from Platform
7 Holly and these -- and as we decommission them is that our
8 bonds -- and I know we're not signing any new leases, but
9 every time we renew a lease just to be really cognizant --
10 and this is something that State Lands is doing, to be
11 really cognizant of our bonds, so that we actually have
12 responsible parties paying for the work.

13 And then finally, I don't see our colleague in
14 the audience who was on the tour today, but one -- one of
15 the people said to me that she's been doing this work for
16 40 years. She worked for Senator O'Connell and said that
17 there's never been a better State Lands team in the entire
18 40 years in terms of their pragmatic approach to really
19 understanding everything in this area and others. So
20 kudos to the staff and just a huge amount of gratitude for
21 all you're doing.

22 And if you don't mind sort of setting that
23 landscape. I know it's not all on the agenda. Is that
24 too much?

25 SENIOR ATTORNEY FABEL: Ms. Lucchesi and I --

1 absolutely. And would you like to handle that? I know
2 you briefed --

3 EXECUTIVE OFFICER LUCCHESI: Well, let me take a
4 shot and then you can correct me. How about that?

5 SENIOR ATTORNEY FABEL: Sounds good. I like it.

6 EXECUTIVE OFFICER LUCCHESI: All right. So don't
7 go anywhere, Joe.

8 So in the broad scheme of things, when Venoco
9 filed for bankruptcy and quitclaimed their leases back to
10 the State Lands Commission, those leases included Piers
11 421, so the piers you saw today, and Platform Holly.
12 So -- among other things, but as it relates to the
13 offshore of Goleta.

14 The first project is the decommissioning of Piers
15 421. We are scheduled to complete plugging and
16 abandonment of the 30 wells at Platform Holly by the end
17 of the year. We hope to bring to the Commission by the
18 end of the year a request to hire a consultant to help us
19 evaluate feasi -- the feasibility of different options for
20 Platform Holly for decommissioning. So that's keeping it
21 all in place, that's removing some of it, leaving some of
22 it in place, and then completely removing everything. And
23 analyzing not just the physical feasibility, the technical
24 engineering feasibility, but the cost as well associated
25 with that.

1 But hold that thought for a second. That is for
2 assessments of -- to help inform other types of
3 decommissioning projects. Exxon is responsible for the
4 full cost of decommissioning Platform Holly to the extent
5 that the Commission decides is in the best interests of
6 the state. So whether that's keeping the entire platform
7 and infrastructure in place, or removing some of it, or
8 complete removal. That is the decision the Commission has
9 in its sole discretion and Exxon is required and has
10 agreed to pay for it all.

11 Now, this is the first State platform in a very
12 long time that's being decommissioned. The last ones were
13 the Chevron platforms back in the 1990s. The federal
14 government BOEM in partnership with BSEE is pursuing an
15 environmental assessment under NEPA to look at the
16 decommissioning of eight federal platforms here in the
17 Santa Barbara channel. So that's going to be -- I think
18 they plan to complete -- excuse me, the programmatic EIS
19 by the end of this year for these eight platforms.

20 The big moral of the story is that our coast in
21 the Santa Barbara Channel and moving on south is going
22 through a huge transformation in terms of energy
23 infrastructure transitions, from removing not only
24 decom -- oil platforms from State and federal waters and
25 the associated infrastructure, but also the

1 decommissioning of nuclear power plants, San Onofre,
2 Diablo Canyon as we pivot towards offshore wind,
3 particularly through the recent lease sales announced by
4 BOEM, both on the Central Coast and the north coast.

5 Does that answer your question?

6 ACTING COMMISSIONER MILLER: Yes, that's very
7 helpful.

8 EXECUTIVE OFFICER LUCCHESI: I would just add
9 to -- separate from Platform Holly and Piers 421 with
10 Rincon Island, that decommissioning and ultimate
11 disposition of these facilities, the State is financially
12 responsible for that. We do not have -- that was a
13 different, excuse me, chain of events that allowed RILP,
14 Rincon Island Limited Partnership, to take control of
15 those -- that -- those leases through a prior bankruptcy.
16 So when they filed for bankruptcy and ceased to exist,
17 there was no prior operator to go after.

18 ACTING COMMISSIONER MILLER: Okay. That's really
19 helpful. Thank you very much. I really appreciate that.

20 Thank you, Madam Chair.

21 CHAIRPERSON YEE: Of course. Thank you,
22 Commissioner Miller.

23 Any other comments at this time?

24 Okay. Very well. Thank you.

25 SENIOR ATTORNEY FABEL: Thank you.

1 CHAIRPERSON YEE: Seeing none, let me just see if
2 there are any public comments on this item. Katie, let me
3 turn to you.

4 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
5 you, Madam Chair. We have a few public speakers for this
6 item. The first one being Peter Imhoff. And I'm looking
7 for him.

8 CHAIRPERSON YEE: Good afternoon.

9 MR. IMHOF: Thank you. Good afternoon, Madam
10 Chair and Commissioners and welcome again to the beautiful
11 City of Goleta. It's an honor to have all of you here
12 today.

13 I'm Peter Imhof, the Director of Environmental
14 Review and Planning for the City of Goleta. The City of
15 Goleta supports the staff recommendation to certify the
16 Environmental Impact Report. As a responsible agency, the
17 City supports implementation of the project and urges the
18 Commission to certify the EIR as to the entirety of the
19 project both Components 1 and 2. Certification of the EIR
20 for both Components 1 and 2 brings us one step closer to
21 the removal and decommissioning of that last remnants of
22 oil infrastructure along the shoreline of the City of
23 Goleta that.

24 The EIR is clear that the whole of the action
25 entails both Components 1 and 2, and the City of agrees

1 and appreciates that the Commission has analyzed the
2 potential environmental impacts of both components of the
3 project.

4 However, the proposed action leaves unanswered
5 when and how the decommissioning of Component 2 will
6 happen and who will undertake this work. It is not fair
7 to assume, as the staff report does, that Component 2 will
8 be quote, "Carried out by the upland authority with
9 jurisdiction", end quote. Removal of this infrastructure
10 is a shared problem and shared responsibility. The State
11 Lands Commission cannot just wash its hands of the upland
12 area infrastructure. Without a plan to remove Component
13 2, wave action will gradually erode and expose Component 2
14 potentially creating beach hazards and resulting in
15 environmental contamination.

16 Coastal Commission staff also recognized this
17 issue and encouraged State Lands Commission staff to think
18 this problem through. Significant funding will be needed
19 to complete Component 2, whoever undertakes it. State
20 Lands Commission staff provided a cost estimate indicating
21 that it would cost at least \$3.9 million, not including
22 permitting and other soft costs. Funding to cover the
23 cost of this work has yet to be identified and the cost of
24 this work vastly exceeds what a small city, the size of
25 Goleta, can manage on its own.

1 We appreciate the State Lands Commission staff's
2 willingness to help identify grant funding sources for
3 Component 2 removal and we ask that the State Lands
4 Commission also direct its staff to work proactively in
5 coordination with us and collaboration with other parties,
6 including the underlying landowner and the City Goleta to
7 obtain all necessary permits to remove both Components 1
8 and 2.

9 We appreciate the collaboration to date and we
10 look forward to our continued partnership.

11 CHAIRPERSON YEE: Thank you very much, Mr. Imhof.
12 Katie, our next speaker, please.

13 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
14 you. Our next speaker is also in person and that is Carla
15 Frisk.

16 CHAIRPERSON YEE: Good afternoon.

17 MS. FRISK: Good afternoon. Carla Frisk with the
18 organization Get Oil Out and happy to be here today in
19 person, also my first public hearing in a long time.

20 I want to start by thanking the Commission and
21 the staff for the site visit today. I have to admit,
22 probably embarrassingly, I've never been out to the 421
23 Piers. And I've been telling myself for years, you've
24 really got to just go on out there. And when I saw this
25 come up, I thought okay, I'm going, and I did. And it was

1 very informative. And I just -- I think it's just a
2 great -- it was really well attended. It was a great
3 thing for the public to have that opportunity. And as you
4 said earlier, to -- for the commissioners to see in person
5 it's -- I think it's really important. So thanks again
6 for having this -- for doing that and for having this
7 hearing today, so that people can actually come here, if
8 they want to, in person.

9 Get Oil Out has long monitored the ups and downs
10 of Lease 421 and all the issues that have come up, and
11 should we remove, and should we not, and what about this,
12 and what about that. And then it sat idle for so many
13 years while the pipeline was broken. And it's a long
14 history, that's for sure. But GOO wants to express its
15 strong support. Really can't express strongly its support
16 enough for this decommissioning project and urge you to
17 approve it today.

18 Our only concern is and we have to kind of echo
19 the City's comments is that today's project is only for
20 Component 1. We want to urge this Commission and its
21 staff to really continue to work with the City, the
22 Coastal Commission, the landowner, to try to come to some
23 conclusion on Component 2 as soon as possible. I mean, I
24 could cite project after project, one of them being the
25 pipeline and the removal of the tanks and some of the

1 infrastructure that's now on UCSB, where we thought that
2 would have been done in, I can't even say how many -- five
3 years ago, just come to a stand still because of the same
4 issues here today with Venoco going bankrupt. So they
5 have no funding.

6 So anyway, I'll try to just get -- echo some of
7 the things that Peter said. And if Venoco had been the
8 applicant here today, we would be requiring them to do
9 this work and get all of this oil, all of this development
10 done, which served this oil development for so many years.
11 It's an integral part of this project. And we just can't
12 say how important it is to get the permits, move forward,
13 and just find the funding and get this thing done.

14 So unless you have any questions, thank you very
15 much.

16 CHAIRPERSON YEE: Thank you, Mr. Frisk.

17 Katie, our next speaker, please.

18 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
19 you, Madam Chair. At this time, we have no other public
20 commenters signed up to speak on this item.

21 CHAIRPERSON YEE: Okay. Very well. Thank you.

22 Let me just turn back to the Commissioners before
23 we take formal action.

24 Yes, Commissioner Miller.

25 ACTING COMMISSIONER MILLER: Well, I have no

1 comments. If you're ready for a motion though.

2 CHAIRPERSON YEE: Yes. Actually, let me make a
3 comment, if I could. I appreciated the public comment
4 here. And this really is a jurisdictional issue, but I
5 can assure you the State Lands Commission is not turning
6 its back on what is going to continue to happen with
7 respect to this project. So although our action today is
8 certification of the entire EIR and approval only of
9 Component 1 of the project, I don't believe there's anyone
10 in this room that is looking to end the conversation
11 there. So appreciate the City of Goleta's capacity
12 issues, but we also would like to enhance our -- our
13 partnership going forward with respect to seeking any and
14 all funding, and obviously, speaking with the -- the
15 private interests that are involved here as well. So just
16 wanted to put that on the record. Our action here today
17 is by no means the end of the Commission's involvement.

18 So with that, Commissioner Miller.

19 ACTING COMMISSIONER MILLER: Thank you, Madam
20 Chair. And with that, I would move approval of the EIR in
21 Item 59 of our agenda.

22 CHAIRPERSON YEE: Okay.

23 ACTING COMMISSIONER DURLAO: And I second that
24 motion.

25 CHAIRPERSON YEE: All right. We have a motion by

1 Commissioner Miller, second by Commissioner Dumlao.

2 Is that a unanimous vote?

3 Okay. Such will be the order.

4 Thank you very much. And thank you to the
5 members of the public who joined us this morning, the City
6 of Goleta, and to our other stakeholders.

7 Very well. Our next item is Item 60 and this is
8 an item to consider the second distribution port stimulus
9 funding to mitigate negative economic impacts from the
10 COVID-19 pandemic. It is pursuant to the 2021-22 budget
11 Act. And may we have the presentation.

12 (Thereupon a slide presentation.)

13 EXECUTIVE OFFICER LUCCHESI: Yes. Our staff
14 presentation will be provided by Reid Boggiano who's going
15 to be presenting virtually.

16 CHAIRPERSON YEE: Wonderful.

17 EXECUTIVE OFFICER LUCCHESI: So he will be -- he
18 is on the screen right there.

19 CHAIRPERSON YEE: We see you, Mr. Boggiano.

20 Good afternoon.

21 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO:

22 Yeah. Good afternoon, Chair and commissioners.

23 In May 2021, as you may remember, Governor Newsom
24 announced a one-time 250 million allocation from the
25 Federal American Rescue Plan act of 2021 to California

1 ports to mitigate the negative -- the negative economic
2 impacts resulting from the pandemic.

3 The 2021-2022 State budget appropriates the 250
4 million to the California State Lands Commission to the
5 allocation -- for the allocation to ports. The Budget Act
6 requires that ports use these funds to support their
7 economic recovery such as for activities that include
8 avoiding layoffs, restoring jobs and services, and losses
9 due to the pandemic, and supporting safe operations.

10 At its December 8th, 2021 meeting, the Commission
11 authorized disbursements of \$136,239,515 of recovery funds
12 to six California ports. Disbursements for the first
13 round were based on ports 2020 pandemic related losses and
14 direct health emergency costs.

15 For this second disbursement, staff requested
16 that each port provide its 2021 pandemic related revenue
17 losses and health emergency costs. These metrics help
18 ensure that the Commission direct funds to ports that were
19 most drastically impacted by the pandemic.

20 All ports, including those that did not apply
21 during the first distribution or that received an amount
22 less than requested, were able to apply for the remaining
23 funds for this second disbursement.

24 When applying for the second round of
25 disbursements, applicants were required to provide

1 financial statements, payroll reports, invoices, receipts,
2 cash flow statements, and other accounting documentation
3 for staff's review. Ports were also required to describe
4 the programs or projects they anticipate committing the
5 recovery funds to.

6 Some of these projects include: major maintenance
7 and repair projects that are necessary to maintain port
8 assets, so that they're safe, accessible, and available as
9 revenue-generating assets in the future; terminal
10 equipment and IT upgrades; infrastructure to strengthen
11 port industries and retain existing tenants; efforts to
12 avoid direct layoffs and fill positions left vacant during
13 the pandemic; loan programs for financially distressed
14 businesses and services that will continue to bring
15 visitors and commercial business to the waterfront such as
16 the installation of electric vehicle charging stations,
17 commercial fishing upgrades, and projects that keep
18 tourism areas safe and clean.

19 On February 9th, 2022, Governor Newsom signed SB
20 115, which retroactively modified the source for the Port
21 stimulus funds changing the allocated funds from the
22 Corona fiscal recovery fund of 2021 to the State's general
23 fund. Because of this change, recipient ports are no
24 longer subject to federal ARPA requirements and
25 restrictions, but they remain subject to the Budget Act

1 requirements.

2 The Budget Act does not impose the strict use
3 limits provided by -- provided in the ARPA and associated
4 federal guidance. Commission staff is now developing its
5 own reporting requirements to replace the ARPA
6 requirements. The Commission has discretion over the
7 distribution of funds to achieve the purpose of addressing
8 the negative impacts experienced by the ports. The
9 Commission also considers the state's best interest when
10 exercising its discretionary authority.

11 I'll now go over staff's recommendations for the
12 recovery fund disbursements. The first column here next
13 to the ports lists the Commission's December approval for
14 the first round of disbursements. The second column is
15 staff's recommendation for this second round of
16 disbursements.

17 To the Port of San Diego, staff recommends
18 distribution of \$46,684,903, which represents the amount
19 of revenue loss and health emergency costs for the 2021
20 calendar year, and an additional \$1,605,848 that considers
21 a 4.67 percent growth rate instead of a 4.1 percent growth
22 rate for revenue losses in the 2020 calendar year.

23 To the Port of San Francisco, staff recommends
24 distribution of \$58,200,000, which represents the amount
25 of 2021 revenue loss and is the requested amount in the

1 Port's application.

2 To the Noyo Harbor District, staff recommends
3 distribution of \$448,808, which represents the amount of
4 2021 revenue losses and is the requested amount in the
5 Port's application.

6 To the Oxnard Harbor District, also known as Port
7 Hueneme, staff recommends distribution of \$206,724 which
8 represents the District's 2021 health emergency costs and
9 is the requested amount in the Port's application. To the
10 Port San Luis Harbor District, staff recommends
11 distribution of \$1,203,639, which represents the amount of
12 revenue loss and health emergency cost for the 2020 and
13 2021 calendar year.

14 To the Ventura Port District, staff recommends
15 distribution of \$122,979, which represents the District's
16 2021 health emergency cost and is the requested amount in
17 the Port's application.

18 The Humboldt Bay Harbor District is requesting
19 \$302,929 of funding for revenue losses in certain sectors,
20 but the District's overall financials show positive 2021
21 revenue gains. So staff recommends applying an
22 equitable -- equitable distribution of funds to ports
23 based on their 2021 revenue losses and emergency costs,
24 and we recommend not disbursing funds to Humboldt Bay
25 Harbor District at this time.

1 The total amount for the first disbursement as
2 approved by the Commission in December was \$136,239,515.
3 The total amount for the second disbursement authorization
4 as recommended by staff is \$106,867,053. After
5 approximately two million reserved for staff costs, this
6 leaves \$6,893,432 left to disburse. Staff will provide
7 more details and the recommendation at a future Commission
8 meeting.

9 As a condition of fund disbursement, the ports
10 must also sign a funding agreement. This agreement
11 formalizes the Port's and Commission's role in the ongoing
12 monitoring of the recovery fund expenditures.

13 Thank you very much and I'm available to answer
14 any questions.

15 CHAIRPERSON YEE: Thank you, Reid, very much for
16 the presentation.

17 Commissioners, any questions or comments?

18 No. Okay. Thank you for the presentation. I
19 want to thank the administration for the flexibility of
20 these dollars and the continued attention on our ports,
21 which have been challenged during the pandemic, and seems
22 like just unending numbers of issues that are affecting
23 our ports from supply chain issues, to congestion,
24 certainly the tourism recovery that still is in the midst
25 of happening, but these dollars are really critical for

1 the rebound and recovery moving forward for our ports.

2 Let me see if there are any public speakers on
3 this item. Katie.

4 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
5 you, Madam Chair. For our first public speaker, we have
6 Elaine Forbes.

7 CHAIRPERSON YEE: Great. Good afternoon, Elaine.

8 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

9 Actually, I am not seeing her on the attendee
10 list. So while we wait for her, I'm going to promote our
11 next public speaker who is Job Nelson.

12 CHAIRPERSON YEE: Okay. Good afternoon, Job.
13 Can you hear us, Job?

14 MR. NELSON: I can.

15 CHAIRPERSON YEE: Okay.

16 MR. NELSON: So I am trying to start video as
17 well, but that's okay. So I may just be -- there I am.

18 CHAIRPERSON YEE: We can see you. Yes.

19 MR. NELSON: Let me first start by saying
20 Controller Yee that we are also saddened by the loss of
21 Anne. She was a -- very much a friend to the ports. And
22 I personally consider her not just a colleague, but as a
23 friend. There's a short list of people who you will get
24 up from a meeting when you see their name pop up on your
25 phone, and Anne was one of those people in terms of my

1 phone, for two reasons. One if she was calling, I knew it
2 was important, and two, if I didn't answer her call fairly
3 directly, I know I would hear from her later. So we are
4 very sad to have lost her.

5 I wanted to start my time this afternoon with a
6 number of thank yous. As usual, I want to thank your
7 Executive Director, Jennifer Lucchesi. She has been
8 amazing to work with through this whole process. She
9 keeps things moving rapidly, while still seeking to -- our
10 input along the way. Ben and Reid have just been amazing.
11 They work to continue to streamline the process, but I
12 will assure you, Commissioner Miller, they still are
13 making sure that we are accountable as we are doing all
14 that we are supposed to be doing.

15 And I would also like to thank you,
16 commissioners, again. Madam Controller, you personally
17 made calls to try and help secure this funding in the
18 first place. Commissioner Miller, you helped work through
19 a number of issues. And I know the Lieutenant Governor
20 did -- made calls as well to help land this funding.

21 This past week we had our budget workshop for our
22 upcoming budget. And in it, multiple times we were able
23 to point back to the first tranche of money as a
24 stabilizing factor as we come out of the pandemic. And
25 this second tranche is equally critical for our viability

1 coming out of the pandemic.

2 While our revenues have picked up in a few areas
3 like cruise and vacation visitors, automobile imports and
4 business travelers are still very slow to come back. We
5 are looking at low revenues compared to 2019 and we are
6 getting hit with a double whammy of inflation
7 unfortunately. In fact, we are projecting that we may not
8 be fully back to normal from a budget perspective until
9 2025.

10 Without this funding, we would still struggle to
11 do major maintenance, pursue technology upgrades, or move
12 forward on many of our electrification initiatives that
13 will continue to make California ports the cleanest in the
14 world.

15 We've been putting the money to good use to help
16 California rebound, but we want to come out of it better
17 in so many ways. We have spent our funding on major
18 maintenance on critical piers. We have taken a quarter of
19 the money and put it towards electrification activities
20 that will benefit nearby disadvantaged communities. And
21 we have funding replacements on our dirtiest pieces of
22 equipment and are replacing them with electric versions.

23 We will also be spending over 15 percent of our
24 funds and engaging projects that benefit disadvantaged
25 communities, communities like National City, Chula Vista,

1 and Imperial Beach, were some of the hardest hit by COVID.

2 So I will close like I opened thanking you.

3 While we are still feeling the impacts of the pandemic, we
4 see hope on the horizon, and these funds will enable us to
5 come out of this time stronger and more resilient, so
6 thank you again.

7 CHAIRPERSON YEE: Thank you very much, Job, for
8 our comments. And thank you to the Port of San Diego and
9 to all of our ports for being such great community
10 partners during the COVID pandemic, really serving the
11 communities in ways that were extraordinary in terms of
12 being sure people were receiving PPP, and just whatever
13 needed to be done. So appreciated just the extra steps
14 taken for the community.

15 Our next public speaker, Katie.

16 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
17 you, Madam Chair. Our next public speaker is Boris
18 Delepine.

19 MR. DELEPINE: Good afternoon, Commissioners and
20 Executive Officer Lucchesi. My name is Boris Delepine.
21 I'm the Legislative Affairs Manager for the Port of San
22 Francisco. I'm actually here to represent Executive
23 Director Elaine Forbes who is currently attending our Port
24 Commission meeting.

25 On behalf of the Port of San Francisco, I'd like

1 to reiterate what Job and the Port of San Diego just
2 outlined. I want to thank you, commissioners, and your
3 staff for your unwavering support and leadership in
4 helping us to secure these funds on behalf of California's
5 ports. The Port of San Francisco is especially grateful
6 for your advocacy and partnership, which played a pivotal
7 role in providing this funding for our port.

8 These funds place the Port of San Francisco on
9 stable financial footing as we continue our work to
10 overcome the multi-year structural budget deficit
11 resulting from the COVID-19 pandemic. This funding allows
12 us to avoid staff layoffs, backfill positions, fund
13 maintenance, and capital improvements that have been
14 deferred and are now imperative to carrying for our
15 historic piers and key tourist attractions. It allows us
16 to support small businesses that are the backbone of our
17 revenues and restore maintenance, cleaning, and public
18 safety programs.

19 Our port is adjacent to two of San Francisco's
20 most economically disadvantaged neighborhoods. With these
21 funds, we can continue to support these communities
22 through workforce development, providing well maintained
23 open space, and parks, and assistance to local businesses.

24 We're beginning the long road to recovery from
25 the economic impacts of COVID-19 and finally seeing signs

1 of revival on our waterfront after two very difficult
2 years. So again, on behalf of our Executive Director, our
3 commissioners, and the Port of San Francisco, thank you
4 for your leadership, partnership, and support.

5 And finally I'd be remiss if I did not mention
6 that I spoke with current Port Commissioner and former
7 State Senator John Burton earlier today who explicitly
8 asked me to send his regards and thanks. And when he
9 sends a directive, I make sure that I follow through with
10 it. So thank you, again, Commissioners, and thank you for
11 your time.

12 CHAIRPERSON YEE: Thank you very much, Boris.
13 And please give the Senator our best.

14 Thank you.

15 Katie, our next speaker, please.

16 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
17 you, Madam Chair. At this time, we have no other public
18 commenters signed up to speak on this item.

19 CHAIRPERSON YEE: Okay. Very Well. Thank you.
20 Seeing no other public comment, is there a motion to adopt
21 the staff recommendation and a second?

22 ACTING COMMISSIONER MILLER: I move approval of
23 the staff recommendation, please.

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

1 Motion by Commissioner Miller.

2 ACTING COMMISSIONER DURLAO: I second the motion.

3 CHAIRPERSON MILLER: Second by Commissioner

4 Durlao. Is that a unanimous vote?

5 Okay. Without objection, such will be the order.

6 Thank you.

7 All right. We now will move on to Item 61. And
8 this is an update on the status of our existing offshore
9 oil and gas production and pipeline leases managed by the
10 Commission. And we have our staff presentation from Nate
11 Dozier. Welcome.

12 (Thereupon a slide presentation.)

13 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

14 Good afternoon, Commissioner Yee, Commissioner
15 Miller, Mr. Durlao, colleagues and members of the public.
16 My name is Nate Dozier and I'm a Program Analyst with the
17 Commission's Mineral Resources Management Division. And
18 it's my pleasure today to present to you with an update on
19 the status of the existing oil and gas production and
20 pipeline leases managed by the Commission in offshore
21 waters.

22 Offshore oil and gas development on State tide
23 and submerged lands continues its rapid decline. While
24 the Commission continues to oversee the responsible
25 operation and management of the last remnants of offshore

1 explores in detail the oil and gas production and pipeline
2 leases I just mentioned, as well as other significant
3 leases that have recently been terminated or quitclaimed,
4 some of which are undergoing extensive plug and
5 abandonment and decommissioning operations.

6 Next slide, please.

7 --o0o--

8 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

9 This map is of the San Pedro Channel, and it
10 shows the general locations of all existing oil and gas
11 leases, pipeline leases, and oil platforms that exist in
12 offshore ports -- portions of Los Angeles and Orange
13 counties. The Submerged Lands Act of 1953 recognizes the
14 State's jurisdiction as extending to three geographical
15 miles offshore. Operations beyond three miles fall under
16 federal jurisdiction. And in this map, the three bound --
17 three-mile boundary line is indicated by the blue dotted
18 line.

19 Next slide, please.

20 --o0o--

21 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

22 This map is of the Santa Barbara Channel and it
23 conveys the same information about oil and gas and
24 pipeline activity that exists in the offshore portions of
25 Santa Barbara and Ventura counties.

1 Next slide, please.

2 --o0o--

3 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

4 Now, first and very notably, there are no active
5 offshore oil and gas leases in Santa Barbara County.
6 There are two inactive leases that are awaiting a final
7 quitclaim, three previous leases that were quitclaimed and
8 are currently undergoing final plug and abandonment work,
9 three leases that were terminated by the Commission in
10 2019, and the Commission manages five pipeline leases in
11 the county as well.

12 Next slide, please.

13 --o0o--

14 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

15 Leases 1834 and 3150 are inactive leases and they
16 comprise over 95 -- 9,500 acres of tide and submerged
17 lands. The lease areas are the site of previously removed
18 oil drilling and production platforms, Hazel, Hilda, Hope,
19 and Heidi, known as the 4H Platforms. When the platforms
20 were removed, the mounds of drilling muds and cuttings
21 below the surface remained in place, and the underwater
22 portions of the platforms became colonized with marine
23 life.

24 Over many years, shells settle all over the
25 mounds and creat a layer of shell material that

1 encapsulates the mud and cuttings. Commission staff is
2 currently processing an application to terminate these two
3 inactive leases and is actively working to complete an
4 Environmental Assessment of the shell mounds below the
5 surface.

6 Next slide, please.

7 --o0o--

8 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

9 These three quitclaim leases comprised over 7,000
10 areas located off the coast near the City of Goleta.
11 Leases 3242 and 3120 both produced entirely from Platform
12 Holly, while Lease 421 produced from the two wells located
13 on two artificial piers in the shore zone.

14 While production from Lease 421 ceased in '94,
15 production from the other two leases continued until 2015
16 when they were shut in to response -- to respond to a
17 pipeline incident in May of that same year. The
18 Commission received the lessee's notice of quitclaim for
19 these three leases in April of 2017. While the two wells
20 associated with Lease 421 are successfully plugged and
21 abandoned, plug and abandonment work on the 30 existing
22 wells on Platform Holly is ongoing and is expected to be
23 completed late this year or early 2023. And the public
24 should know that they have some of the most dedicated and
25 knowledgeable public servants overseeing these plug and

1 abandonment operations, and they're working very hard to
2 ensure that everything is going according to plan.

3 Next slide, please.

4 --o0o--

5 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

6 These three leases are comprised of nearly 4,000
7 acres and they produce from the Carpinteria oil field. By
8 '96 all facilities associated with the leases were removed
9 and all wells were plugged and abandoned at the same time.
10 In '96, the Commission approved a signed -- assigning
11 Carone control of the leases with a condition that they
12 come up with a plan to redevelop -- redevelop the lease
13 areas. However, in 2019, the Commissioner terminated the
14 three leases after determining that Carone had failed to
15 meet its obligations to redevelop the leases and it also
16 failed to comply with other lease obligations.

17 Next slide, please.

18 --o0o--

19 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

20 And the Commission also manages five active
21 offshore pipeline leases in Santa Barbara County that
22 consist of a collect -- that consist of a collection of
23 power cables and oil, gas, water, and utility pipelines
24 that originate from four federal platforms and traverse
25 State waters en route to shore.

1 For pipeline lease 7163 and 4977, whose terms
2 expired within the past few months, the lessees have
3 submitted renewal applications and staff is currently
4 processing both of those applications.

5 Next slide, please.

6 --o0o--

7 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

8 And moving to Ventura County. The Commission
9 manages two active producing oil and gas leases, one
10 inactive lease awaiting a final quitclaim and three
11 notable oil and gas leases that were recently quitclaimed.
12 There are also three pipeline leases offshore of Ventura
13 County.

14 Next slide, please.

15 --o0o--

16 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

17 Now, these two active leases produce from the West
18 Wilmington offshore to field -- offshore field and they
19 collectively consist of over 5,500 acres of tide and
20 submerged lands. There are 18 wells associated with Lease
21 3314 that are drilled directionally into the offshore
22 lease area by a designated onshore locations, and for
23 Lease 735, there are three wells that are drilled in the
24 same way.

25 For last fiscal year, the leases collectively

1 produced nearly 60,000 barrels of oil and pay over
2 \$498,000 in royalty to the State.

3 In 2019, Commission staff secured additional
4 bonding for the -- from the lessee to cover the two leases
5 raising the total blanket bond amount from 2 million to 7
6 million. And per the lease terms, staff can evaluate the
7 need for additional increases in bonding coverage every
8 five years.

9 Next slide, please.

10 --o0o--

11 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

12 Lease area 427 consists of 148 acres of tide and
13 submerged lands. And if you look at the map, it's the
14 smaller thatched lease area kind of nestled in between the
15 larger areas surrounding it. The lease has not produced
16 oil and gas since '93 and all wells have been plugged and
17 abandoned. Commission staff is in discussions with the
18 lessee to perform a final analysis and survey of the
19 previously completed plug and abandonment work, after
20 which the Commission can process a final quitclaim.

21 Next slide, please.

22 --o0o--

23 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

24 These three quitclaim leases comprise over 1,500
25 acres of tide and submerged lands. There were 25 wells

1 that were directionally drilled from onshore locations and
2 50 wells that produced entirely from Rincon Island. In
3 2016, the lessee filed for Chapter 11 bankruptcy and the
4 Commission authorized staff to accept the quitclaim of the
5 leases.

6 Since then, the Commission and its contractor
7 have plugged and abandoned all 75 wells and the former
8 leases. Phase 2 of the project is currently under way, as
9 staff works with our environmental contractor to develop a
10 decommissioning plan with the disposition of Rincon
11 Island, the onshore facility, and the causeway.

12 Next slide, please.

13 --o0o--

14 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

15 The Commission also manages three offshore
16 pipeline leases in Ventura County, which originated from
17 various federal platforms. For Pipeline Lease 4017,
18 Commission staff anticipates that an application to renew
19 the lease will be submitted in the near future.

20 For Pipeline Lease 3914, which the Commission
21 terminated in 2019 for various violations of the lease
22 terms, decommissioning is pending.

23 Next slide, please.

24 --o0o--

25 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

1 In Los Angeles County, significant oil and gas
2 revenue is generated from two granted lands areas in the
3 country, the West Wilmington Operation and the Long Beach
4 Unit. These two operations produced oil and gas under net
5 profit sharing agreements, which established a revenue
6 split between the City of Long Beach, the State, and the
7 operator. The Commission has very limited authority over
8 the day-to-day management of these operations, but we do
9 oversee various engineering and economic aspects to ensure
10 prudent and good oil field practices.

11 For the Long Beach unit operation, the
12 Commission's authority is limited to a review of the
13 unit's annual and five-year program plans, and ensuring
14 that these plans are consistent with good oil field
15 practice and do not pose a significant safety or
16 environmental risk.

17 The Long Beach Unit is primary produced from the
18 four THUMS islands that dot the coast of Long Beach and is
19 by far the State's top source of revenue from oil and gas
20 operations, generating 52.9 million in revenue for the
21 State in the last fiscal year.

22 West Wilmington operation is produced from a
23 reservoir that is located primarily beneath the Port of
24 Long Beach and have generated \$16 million in revenue for
25 the State during the same period.

1 Next slide, please.

2 --o0o--

3 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

4 In Orange County, the Commission manages nine
5 active and producing oil and gas leases. There are also
6 two inactive leases in the form of compensatory
7 agreements, three platforms, and one granted lands area,
8 and five pipeline leases.

9 Next slide, please.

10 --o0o--

11 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

12 For lease 91, 163, 392, 425, and 426,
13 collectively these five leases comprise over 3,500 acres
14 of lease area, off the coast Huntington Beach. The leases
15 produce from 438 wells, 30 of which are drilled from State
16 Platform Emmy, located 1.3 miles offshore and the rest of
17 the wells are drilled directionally into the off-shore
18 lease area from a designated onshore location.

19 In the last fiscal year, the leases collective
20 produced 1.2 million barrels of oil and generated 14.8
21 million in royalty for the State. In 2017, the Commission
22 and the lessee negotiated and agreement whereby the
23 royalty rate for the five leases would be tied to the
24 current price of oil on a sliding scale in exchange for a
25 commitment by the lessee to spend \$3 million annually

1 towards abandoning -- towards abandoning the leases idle
2 wells and contribute to a sinking fund to fund abandonment
3 and decommissioning activities when the leases reached
4 their end.

5 The sinking fund is in addition to an already
6 existing \$30 million blanket bond. When less than three
7 million is spent on idle well abandonment annually, the
8 difference will be paid into the sinking fund. And to
9 date, 25 idle wells have been abandonment -- aban --
10 excuse me, abandoned as a result of disagreement. And the
11 lessee has fulfilled its commitment to spend three million
12 on idle well abandonment annually.

13 Next slide, please.

14 --o0o--

15 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

16 These three leases collectively cover over 7,000
17 acres offshore Orange County. The 42 wells associated
18 with Lease 3033 and 3014 are drilled from Platform Ava,
19 which is located 2.1 miles offshore. While the 30 wells
20 associated with Lease 3095 are drilled from Platform
21 Esther located about one and a half miles offshore of Seal
22 Beach.

23 In december of last year, an oil sheen was
24 reported off the coast of Orange County, and the source
25 was determined to be a pipeline, which transferred --

1 transports oil from Platform Eva to shore.

2 As a result, the Commission ordered all
3 operations on Platform Eva to immediately be suspended and
4 operations continued to be suspended, which means leases
5 3033, 3413 are not currently producing.

6 In consultation with Commission staff and the
7 State Fire Marshal, the lessee is exploring options to
8 repair or replace the pipeline subject to regulatory
9 review and approval.

10 Next slide, please.

11 --o0o--

12 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

13 Lease 187 produces from the Belmont offshore oil
14 field and consists of 1255 acres of tide and submerged
15 lands. There are 35 wells associated with the lease, all
16 of which are located offshore on Island Chaffee. And for
17 my Long Beachers out there, if you're standing on Rosie's
18 Dog Beach and your staring out into the ocean, Island
19 Chaffee is the island on your left.

20 The lessee maintains a \$50,000 bond to cover the
21 cost of Plug and abandonment activities when the lease
22 ends and the current lessee, CRC, is responsible for
23 plugging and abandoning all wells on this operation and
24 the State has no liabilities related to well abandonment
25 on this lease.

1 Next slide, please.

2 --o0o--

3 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

4 And finally, in Orange County, the State receives
5 royalty from two leases that are administered as
6 compensatory agreements, which means that while there are
7 no actual wells located within the State lease areas, the
8 State receives nominal royalty from independently operated
9 wells that are located near the lease areas and have been
10 deemed likely to be draining state mineral resources.

11 Next slide, please.

12 --o0o--

13 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

14 Finally, the Commission manages five offshore
15 pipeline leases in Orange County that originated from
16 federal Platform Edith as well as State Platforms Eva and
17 Esther, all of which are active pipelines.

18 Next slide, please.

19 --o0o--

20 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

21 And the City of Newport Beach owns and operates
22 16 oil wells that are slant drilled into the tidelands
23 area from an onshore location. There is no revenue
24 sharing with the State and all revenue generated must be
25 used for the purposes of maintaining the tidelands. The

1 Commission has no approval authority over these granted
2 lands operations.

3 Next slide, please.

4 --o0o--

5 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

6 And in conclusion, over the last six years, the
7 Commission has facilitated the termination of 10 offshore
8 oil gas leases, returning over 20,000 acres to the coastal
9 sanctuary. We are actively working with our State agency
10 partners and lessees to abandon idle wells ahead of
11 CalGEM's regulatory requirements. We are ensuring the
12 State is adequately protected through bonds, sinking
13 funds, property liens, and other mechanisms. We are
14 decommissioning major offshore oil and gas facilities,
15 such as Platform Holly and Rincon Island, and for all the
16 oil and gas operations mentioned in this presentation,
17 Commission staff continues to execute robust and
18 comprehensive spill prevention and inspection programs.

19 The State Lands Commission understands its place
20 in both California's history of fossil fuel supply
21 independency, and it's obligation for responsibly pursuing
22 a clean energy future. The Commission is committed to a
23 just transition, while responsibly managing the State's
24 existing oil and gas operations, and ensuring the State is
25 protected from liabilities associated with the decline of

1 these offshore operations.

2 Next slide, please

3 --o0o--

4 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

5 And that concludes my presentation. I would love
6 to hear your comments and I'm free to answer any questions
7 that you may have about the presentation.

8 Thank you.

9 CHAIRPERSON YEE: Thank you very much, Nate, for
10 the update. This is your first time presenting to the
11 Commission, yes?

12 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

13 It is, yes.

14 CHAIRPERSON YEE: Well done.

15 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

16 Thank you.

17 (Laughter.)

18 CHAIRPERSON YEE: Commissioners, questions or
19 comments?

20 ACTING COMMISSIONER DUMLAO: A quick comment.

21 CHAIRPERSON YEE: Yes, please, Commissioner
22 Dumlao.

23 ACTING COMMISSIONER DUMLAO: I think it was
24 incredibly helpful to have this overview, between this
25 presentation and the presentation for Piers 421, it's very

1 clear we've gone from numerous piers protruding from the
2 coastline with oil operations to, you know, where we are
3 today. In that last slide you presented with the future
4 of, you know, trying to clean up all of these legacy
5 wells, abandoning what we have, you know, transitioning
6 away from fossil fuel extraction. It's just -- you know,
7 it's really helpful to have this overview today for the
8 Commission for the -- and for the public to see, you know,
9 every -- how far we've come and how far we still have to
10 go.

11 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

12 Sure.

13 ACTING COMMISSIONER DURLAO: Thank you very much.

14 CHAIRPERSON YEE: Thank you, Commissioner Durlao.

15 I agree, I think this presentation was extremely helpful
16 just to put the entire picture in place. And to Ms.
17 Lucchesi's earlier comment, the State is undergoing a
18 tremendous energy transformation and in the works as we
19 speak, but also more to come. And I just feel like at
20 this moment we're at the convergence of so many things
21 that are affecting, you know, that transition, including
22 events from across the globe.

23 And I'm wondering if what we could do with this
24 information -- and certainly heighten legislative interest
25 by the way in all of this as well after the spill last

1 year -- is the bill that we had considered regarding the
2 strategy for ending State offshore production leases that
3 was before the Commission during our last meeting,
4 certainly puts us on a footing to begin to do some
5 planning ahead of time to look at some of the risks and
6 certainly financial impacts involved. But I also wanted
7 to just explore, if I could, Nate and to Jennifer, whether
8 there's more that we could be doing, and knowing that
9 there's a lot of concern about just the price of gas and
10 all of that, which I don't discount by any means, but I do
11 think that we are looking still to, you know, move towards
12 our termination of oil production by the State by 2045,
13 pursuant to the Governor's Executive Order.

14 Certainly, given our climate policies of the
15 State of California and the direction that we are all --
16 all State agencies and departments are moving towards, you
17 know, this Commission has always been grounded in just,
18 you know, having data and information. And then what will
19 be coming -- what will be coming before the Commission are
20 some of the -- federal pipeline leases that have -- in
21 terms that will need to be brought back before this
22 Commission for renewal. And in that vein, I wanted to
23 just see what the feasibility would be to begin working
24 with our pipeline lessees, and the federal operators, and
25 probably even BSEE to better understand what some of the

1 expectations are going to be, rather than kind of reacting
2 when we're doing a bill analysis for something else that's
3 become more, you know, kind of in the moment.

4 We have a -- we have some time here, not a lot.
5 We have obviously broader considerations than just the
6 state of California, but I do think that those discussions
7 aren't not necessarily premature, particularly because we
8 don't know much about the infrastructure, their life
9 expectancy, you know, the risks that may be attendant to,
10 you know, continuing operations or not. And so, I --
11 maybe Jennifer you can comment on that if this request is
12 too premature.

13 EXECUTIVE OFFICER LUCCHESI: No, I think that if
14 I'm understanding you correctly, I think it's the exact
15 right time. So as you mentioned between the Bill the
16 Commission supported and Controller Yee you sponsored, AB
17 2257 --

18 CHAIRPERSON YEE: Fifty-seven, um-hmm.

19 EXECUTIVE OFFICER LUCCHESI: -- that is focused
20 on our offshore production leases and looking at the costs
21 and other impacts associated with the responsible end to
22 offshore production leases, taking also a fresh look at
23 our pipeline leases that connect federal operations to
24 shore through State waters I think is an important first
25 step in terms of looking at what the future is as it

1 relates from the operator's perspectives, from our
2 pipeline lessee's perspective, the job impacts, the
3 economic impacts, and also looking at it within the prism
4 of potential incidences and risks to our marine
5 environment, but really taking a holistic and pragmatic
6 approach, and learning from our operators, learning from
7 our lessees, learning from our stakeholders.

8 And so if I'm understanding you correctly, we, as
9 staff, can take this direction back and look at how we
10 might approach a policy, or a regulatory framework, or
11 some sort of approach to balancing the existing pipeline
12 operations, our existing responsibilities through those
13 leases, working with our federal counterparts, working
14 with our lessees along with our stakeholders that are
15 looking and really prioritized protecting our marine
16 environment to see what a responsible policy approach is
17 for our offshore operations.

18 CHAIRPERSON YEE: Right. Yeah. And that's
19 exactly the request. And I think certainly looking at the
20 economic impacts, we saw the broad geographic swath of
21 these operations. And there will be economic impacts to
22 the local regions as well. So just to get a little bit
23 ahead of the curve on many of those issues I think might
24 be appropriate at this time.

25 So other questions or comments, commissioners?

1 Okay.

2 EXECUTIVE OFFICER LUCCHESI: Madam Chair.

3 CHAIRPERSON YEE: Yes.

4 EXECUTIVE OFFICER LUCCHESI: I will just commit
5 to updating the Commission on maybe a framework to be
6 responsible and accountable to the direction in my
7 Executive Officer's report at the next meeting, and --

8 CHAIRPERSON YEE: Great.

9 EXECUTIVE OFFICER LUCCHESI: -- you know, will
10 look forward to feedback, and we'll work through this, but
11 our primary first step will be to outreach to our
12 operators, and our lessees, and our State and federal
13 partners.

14 CHAIRPERSON YEE: Sure. And I think what might
15 be interesting too, Jennifer, is if you could bring back
16 any information about, you know, just in terms of our
17 overall production, like how much of that, you know,
18 really is kind of for domestic supply versus, you know,
19 supplying other -- other parts of the world. This has
20 become kind of a global conversation, but I'm also very
21 much focused on, you know, California's future here, and
22 so -- and very sanguine about the fact that we've got
23 inflation staring at us, and also, you know, consumers
24 really feeling a big part of the pinch right now. This is
25 just trying to be proactive. Okay. Great.

1 Mr. Dozier, any final thoughts?

2 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

3 No, I appreciate your feedback and I appreciate,
4 you know, my Commission's leadership and just how they're
5 handling everything that is being thrown at us at this
6 point in time? And yeah, I definitely thank you for
7 listening to me today.

8 (Laughter.)

9 CHAIRPERSON YEE: Thank you so much.

10 You're a terrific ambassador for the Commission.
11 Thank you.

12 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

13 Perfect. Thank you.

14 CHAIRPERSON YEE: All right. All right. Thank
15 you.

16 Do we have any members of the public who wish to
17 speak on this item?

18 Katie.

19 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
20 you, Madam Chair. At this time, we have no members of the
21 public signed up to speak on this item.

22 CHAIRPERSON YEE: Okay. Very well. Thank you.
23 Let me just see.

24 Okay. Why don't we move on to -- actually,
25 before we get into the legislation part, I'm mindful of

1 our meeting recorder, so why don't we take a 10-minute
2 break, and then we will return at -- how about we return
3 at 3:10. Okay. Great. Thank you.

4 (Off record: 2:56 p.m.)

5 (Thereupon a recess was taken.)

6 (On record: 3:10 p.m.)

7 CHAIRPERSON YEE: All right. Let's reconvene the
8 State Lands Commission meeting.

9 Commissioners, I think, at this point, why don't
10 we return to the items that were pulled off of the consent
11 agenda earlier. And those would be Items 26 -- excuse me.
12 Hang on one second -- 26, 44, and 56.

13 So we will begin with item 26. So why don't we
14 start there and why don't we have the staff presentation.
15 This relates to the American River Bridge Widening and
16 Deck Replacement Project.

17 Good afternoon.

18 LAND MANAGEMENT DIVISION CHIEF BUGSCH: Good
19 afternoon Madam Chair and commissioners. My name is Brian
20 Bugsch and I'm Chief of the Land Management Division.

21 (Thereupon a slide presentation.)

22 LAND MANAGEMENT DIVISION CHIEF BUGSCH: Waiting
23 for the presentation here.

24 I'm here to present on Item 26, which is the
25 Caltrans proposed 101.5 permit -- public agency permit and

1 right-of-way map for the American River Bridge Deck
2 Replacement and Widening Project.

3 --o0o--

4 LAND MANAGEMENT DIVISION CHIEF BUGSCH: The
5 project will be located over the American River between
6 levees near Cal Expo and River Park in Sacramento.

7 --o0o--

8 LAND MANAGEMENT DIVISION CHIEF BUGSCH: The
9 bridge was originally constructed in 1954. The deck was
10 the existing bridge -- the deck of the existing bridge has
11 been repaired several times since its construction. The
12 deck is covered with a thin asphalt concrete overlay this
13 has worn off.

14 --o0o--

15 LAND MANAGEMENT DIVISION CHIEF BUGSCH: The
16 latest Caltrans needs -- bridge needs report states that
17 the bridge deck has cracks and needs major deck
18 rehabilitation to help preserve the deck and provide a
19 better wearing surface. The proposed work will repair,
20 protect, and extend the service life of the deck and
21 install sheet piles around the piers. Construction is
22 expected to last approximately two years.

23 --o0o--

24 LAND MANAGEMENT DIVISION CHIEF BUGSCH: Caltrans
25 proposes widening the existing bridge to continue to allow

1 vehicular traffic during construction. The following --
2 following replace -- the replacement of the bridge deck,
3 the added width will be converted into a Class 1
4 pedestrian and bicycle path.

5 During construction, public access to the project
6 location will be prohibited due to safety concerns. The
7 existing bike trail will be temporarily detoured to follow
8 the top of the right levee adjacent to Cal Expo.
9 Additionally, the project will be constructed using barges
10 to eliminate the need for the installation and removal of
11 pilings for a trestle bridge along the entire width of the
12 river.

13 --o0o--

14 LAND MANAGEMENT DIVISION CHIEF BUGSCH: While the
15 construction will temporarily impair the public's right to
16 navigation, staff believes in the long term the project
17 will not substantially impair or interfere with public
18 trust uses. It adds multi-modal access adjacent to the
19 highway and it improves public access to the American
20 River and the parkway.

21 --o0o--

22 LAND MANAGEMENT DIVISION CHIEF BUGSCH: So staff
23 recommends that the Commission terminate the existing
24 101.5 permit and right-of-way map and approve the new
25 101.5 public agency permit and right-of-way map, including

1 the two temporary construction areas.

2 --o0o--

3 LAND MANAGEMENT DIVISION CHIEF BUGSCH: That
4 concludes staff's presentation. I think there are members
5 of both Caltrans and the environmental justice group ECOS
6 that are ready to speak on this item.

7 CHAIRPERSON YEE: Very well. Thank you very
8 much. And I know this item was pulled off of consent.
9 There have been some discussions. Any more update with
10 respect to those discussions?

11 LAND MANAGEMENT DIVISION CHIEF BUGSCH: (Shakes
12 head.)

13 CHAIRPERSON YEE: Okay. Very well.

14 Any questions or comments from commissioners at
15 this point?

16 All right. Then let's turn to members of the
17 public who are here to address this item. And Katie, our
18 first public speaker, please.

19 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
20 you, Madam Chair. Our first public speaker is Clark
21 Perri.

22 CHAIRPERSON YEE: Good afternoon.

23 MR. PERRI: Good afternoon, Chair Yee and
24 commissioners. We do have a PowerPoint presentation that
25 we sent to staff earlier.

1 (Thereupon a slide presentation.)

2 CHAIRPERSON YEE: Yes. We'll pull that up right
3 now.

4 MR. PERRI: And some of that information will --
5 will be a repeat of what Brian just stated, but we'll go
6 ahead and go through it in just a little more detail.

7 My name is Clark Perri. I'm Office Chief for
8 Project Management in Caltrans District 3 and here to
9 discuss the American River Bridge Deck Replacement
10 Project.

11 Next slide, please.

12 --o0o--

13 MR. PERRI: The location of the bridge is just
14 east of Sacramento in the downtown area at the American
15 River, a little bit north of Elvas underpass structures
16 and terminates at the Tribute Road undercrossing near Cal
17 Expo.

18 Next slide, please.

19 --o0o--

20 MR. PERRI: The main purpose of the project is to
21 repair or replace the concrete bridge deck due to concrete
22 cracking, and deterioration, and also construct a Class 1
23 bike path on the widened portion of the bridge.

24 Next slide.

25 --o0o--

1 MR. PERRI: This is an aerial view of the
2 existing bridge, just to give you an idea of the -- what
3 the bridge is carrying traffic-wise right now. There's
4 three lanes in the southbound direction and three lanes in
5 the northbound direction. It also consists of minimal
6 shoulder width in -- both inside and outside.

7 Next slide.

8 --o0o--

9 MR. PERRI: As Brian mentioned, the bridge is --
10 was built in 1954 and widened in 1966. This picture here
11 gives you a view of the cracks in the deck both
12 longitudinal and transverse. The black area that you see
13 is an asphalt overlay to protect the deck that's been --
14 we do that periodically on bridges. This particular one
15 has started to come off and expose the concrete deck.

16 Next slide.

17 --o0o--

18 MR. PERRI: This view shows several concrete
19 patches that we've had to install in order to keep the
20 bridge intact and continuous life, but it's -- it's at --
21 at the end of its life, based on the number of patches
22 that we have to do this -- at this time.

23 Next slide, please.

24 --o0o--

25 MR. PERRI: This is the underside of the bridge.

1 You can see the green bridge girders. The white areas
2 that you see are actually cracks in the concrete, which --
3 in the bottom of the concrete deck, which indicates the
4 cracking has gone through the entire thickness of the
5 concrete deck.

6 Next slide.

7 --o0o--

8 MR. PERRI: This is a photo of the foundation
9 that is currently being washed away. It's undermining and
10 exposing the steel foundation piles. So that's a repair
11 that we'll make with this project as well.

12 Next slide.

13 --o0o--

14 MR. PERRI: For the construction staging, we'll
15 start with widening on the northbound side, that's the
16 green line towards the bottom there. That will allow us
17 to shift the northbound traffic to that line and replace
18 the deck in -- that's currently in yellow -- the yellow
19 line there. Once that work is completed, we can shift the
20 southbound traffic over to that line and replace the
21 southbound deck that's in the red line.

22 Next slide.

23 --o0o--

24 MR. PERRI: So the construction activities that
25 we've done to date and what we're planning to do. We've

1 been out there since January clearing vegetation near the
2 bridge in order to prepare for the next portion of the
3 work, which starts June 1st and will run through December.
4 That's the bridge foundation work that we'll start with
5 the in-water work to construct the foundation. From there
6 we'll continue on with the rest of the project to shift
7 traffic on the actual bridge deck to construct the deck
8 itself, and construct the bike path on the northbound
9 side.

10 Next slide, please.

11 --o0o--

12 MR. PERRI: So over the last year to year and a
13 half, we've worked with multiple permitting agencies to
14 obtain our permits. That work has almost concluded.
15 We've got all but one of the permits where the Central
16 Valley Flood Protection Board has the project on their May
17 25th agenda for a hearing to get our 408 permit. That's
18 the last remaining piece.

19 Next slide, please.

20 --o0o--

21 MR. PERRI: With that, I'll open it up to any
22 questions. I do have a several members from our project
23 development team on the Caltrans side. So if there's any
24 questions, they're here to backup the project and answer
25 any details that may come up.

1 CHAIRPERSON YEE: Great. Thank you very much,
2 Mr. Perri. And let me just ask you could you just walk us
3 through -- obviously, there's been some concerns about
4 bike access. Can you just speak to kind of the status of
5 bike access now and what the project proposes relative to
6 either enhancing that or -- and then what will happen
7 during construction.

8 MR. PERRI: Yes. There is currently an existing
9 Class 1 bike path through the middle of the American River
10 Parkway that crosses underneath the bridge and continues
11 on. For safety reasons, we need to close a portion of
12 that bike path intermittently. It won't be closed for a
13 continuous time. But as we're building around that and
14 getting construction equipment access there, we will fence
15 off a portion of that.

16 Brian had a very good view on his presentation
17 there that showed the green hatched area of the work area
18 that we will be doing within the river channel. If you
19 extend that line up and cross the bike path there, that's
20 about the width that we would use or length of the bike
21 path that we would close off intermittently.

22 The bike path will be open up to that point. So
23 in case people want to take that, they can get to the
24 fence and turn around and go back. If that's not
25 conducive to folks using the bike path, we will have a

1 detour at all times that Brian showed on that as a blue
2 line that will run traffic -- bike traffic on the top of
3 the north levee, if you see that area --

4 CHAIRPERSON YEE: Yes.

5 MR. PERRI: -- at the north levee there. So
6 there will be continuous bike access throughout
7 construction, but it will be -- the main bike path closer
8 to the river channel will be closed intermittently.

9 CHAIRPERSON YEE: Great. And then after
10 construction, we will be seeing a wider bike lane, yes?

11 MR. PERRI: Not within the parkway. The bike
12 lane within the parkway itself will remain the same width

13 CHAIRPERSON YEE: Okay.

14 MR. PERRI: We'll reopen that after construction
15 is complete. The Class 1 bike path that I mentioned as
16 part of the project will actually be on the bridge
17 itself --

18 CHAIRPERSON YEE: I see.

19 MR. PERRI: -- that will be accessed from both
20 levees. It will run from the south levee to the north
21 levee and have success to both directions.

22 CHAIRPERSON YEE: Uh-huh.

23 MR. PERRI: So that's a new -- new bike path that
24 will provide additional connection.

25 CHAIRPERSON YEE: Great. Thank you, Mr. Perri.

1 Questions or comments by commissioners at this
2 point?

3 Okay. Thank you very much.

4 Katie, let me turn to you to see about another
5 public speakers.

6 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Yes.
7 Thank you. Our next public commenter is George Delano.

8 CHAIRPERSON YEE: Good afternoon.

9 MR. DELANO: Unmute here. I'm going to defer my
10 time to the rest of the team. I -- in the interests of
11 the very short time that we have.

12 CHAIRPERSON YEE: Okay.

13 Katie, are there others.

14 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Yes.
15 Our next -- I'm just going through the list to find them.

16 CHAIRPERSON YEE: Okay.

17 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our
18 next public commenter is Scott Edwards. I'm looking to
19 see if he's here. I don't see him.

20 MR. PERRI: Excuse me. I'm sorry to interrupt,
21 Katie. Several of the folks that we put on as public
22 speakers are part of the Caltrans team, so --

23 CHAIRPERSON YEE: Okay. Mr. Perri, maybe you can
24 help --

25 MR. PERRI: -- they're not necessarily here to

1 answer public -- or, I'm sorry, to make public statements
2 per se, but they're here to answer any questions that may
3 come up.

4 CHAIRPERSON YEE: Okay. Mr. Perri, do you mind
5 identifying who those may be, so that we can get through.

6 MR. PERRI: Yes. George was one of them Scott
7 Edwards is another, Candice Longdeck -- Longnecker, Jordan
8 Main, Andrew Huang, Janel Wilson, Shelly Darwazeh, and I'm
9 sure I'm missing some there.

10 EXECUTIVE OFFICER LUCCHESI: If I may, Katie,
11 maybe we -- if I'm looking at our list of public speakers,
12 I think it's safe to move directly to Mr. Propper and Mr.
13 Mooney, Katie.

14 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
15 you. So our next public commenter is Ralph Propper. And
16 I'm just identifying him on the list at the moment.

17 While I look for him on the list, actually we'll
18 move on to Don Mooney.

19 CHAIRPERSON YEE: All right.

20 Good afternoon, Don. Are you on?

21 MR. MOONEY: There. Can you hear me?

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

23 MR. MOONEY: Okay. Even though we've been doing
24 this for a couple years now, I still forget to hit unmute.
25 And usually my best comments are the muted ones.

1 (Laughter.)

2 MR. MOONEY: My name is Don Mooney and I'm an
3 attorney for Environmental Council of Sacramento. And
4 just -- we asked for this to be brought off the consent
5 calendar, just be -- in part because Caltrans actually
6 received a notice from -- or ECOS received a notice from
7 Caltrans asking for input on this, and particularly with
8 regards to the environmental justice matters, which we --
9 which we provided a brief letter explaining some of our
10 concerns about bike path access and safety associated with
11 the environmental justice community.

12 And the other thing we wanted to bring out to the
13 Commission's -- bring to the Commission's attention that
14 ECOS has filed litigation over this project. And the --
15 it's not that ECOS doesn't support the bridge being
16 replaced and -- or safe bridges, but it's the type -- it's
17 the type of environmental review that they did, and the
18 timing of that environmental review, and the piecemealing
19 of that environmental review.

20 This is -- they are not -- Caltrans is not just
21 replacing the deck, they are creating the infrastructure
22 for also another project of a bridge widening project and
23 a highway widening project that is under environmental
24 review. And so our objection to this project and our
25 objection to the State Lands approving this at this point

1 in time would be that this is part of a larger project
2 that they have piecemealed the environmental review.

3 While a bridge repair is good, ECOS is concerned
4 that the -- what they're doing in terms of the structure
5 of the bridge that they're going to build up, the
6 footings, are being designed for the other project. And
7 then ECOS is concerned about the impact to vehicle miles
8 traveled and greenhouse gas emissions, because all of the
9 evidence indicates that when you build roads wider, yes,
10 traffic speeds up and congestion decreases maybe a little
11 bit initially, but usually it ends up -- the cars end up
12 filling up that space and the vehicle miles traveled
13 increase and the greenhouse gases increase. So our
14 concern is Caltrans is not dealing with that issue at this
15 point in time. We wanted to bring that to their
16 attention.

17 I'd also note -- and I know I'm close to being
18 out of time, but I just -- if you'd give me a few
19 minute -- an extra 30 seconds or so. I also noted that in
20 the staff report, although you all asked us to -- about
21 environmental justice issues, I noticed that in your
22 findings or the proposed findings and approval documents,
23 there is no finding or determination that Caltrans is
24 making about any environmental justice issues, including
25 the ones that we have -- the ones that we have raised as

1 potential issues.

2 So it -- or not Caltrans, but the State Lands
3 Commission's approval -- proposed approval documents don't
4 include any such findings. And so it may be something
5 that you would want to consider. But again, we wanted to
6 make the Commission aware of the underlying issues that we
7 have here with this -- with not just the bridge
8 replacement, but the bridge widening, and increasing --
9 and road widening that are all related and increasing
10 capacity, which is going to -- which is what really we
11 need to be working against if we're going to re -- if
12 we're going to be reducing VMT and greenhouse gas
13 emissions.

14 Thank you for your time.

15 CHAIRPERSON YEE: Great. Thank you very much for
16 your comments. Appreciate that.

17 Katie, our next speaker, please.

18 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our
19 next speaker is Ralph Propper.

20 CHAIRPERSON YEE: Good afternoon, Ralph.

21 Ralph, can you hear us?

22 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: I'm not
23 sure if Ralph --

24 MR. PROPPER: Can you hear me?

25 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Oh,

1 here we go.

2 CHAIRPERSON YEE: Yes, we can hear you.

3 MR. PROPPER: Okay. Thank you. Sorry.

4 Turn yours down, please.

5 CHAIRPERSON YEE: You do have an echo.

6 MR. PROPPER: Turn yours off, please.

7 Can you turn yours off, please.

8 Thank you.

9 Okay. I'm the immediate past president of ECOS
10 and I chair the Climate Change Committee. And we have the
11 concerns that Don Mooney has expressed on this. I'm past
12 president of the engineers union section and I've asked
13 for details as to why the construction -- the rebuild of
14 the bridge needs to be done at this time. I haven't been
15 given any technical details of the -- of any sort that I
16 can analyze. I don't see this on the list of any projects
17 that are in danger of -- you know, that has a bad grade,
18 that it's in need of repair.

19 Caltrans says that even though they'll widen it
20 by more than 50 percent, and the statistics in the report
21 are inaccurate, it's much wider expansion than is
22 proclaimed there. This will -- as Don said, this will --
23 this is a widening project and that it's part of the
24 larger project. I would foresee that once Caltrans gets
25 this bridge widened, they'll say, well, we've done the

1 hardest part. You know, we might as well let us do the
2 rest.

3 The plan is to expand this freeway from three
4 lanes each way to five lanes each way. This would
5 definitely induce travel. Under SB 743 regulations that
6 took effect last summer, this means that -- that Caltrans
7 would need to show that this would not increase vehicle
8 miles traveled. The only way that that could occur is if
9 there's funding for public transit or various other ways
10 that -- that this could be done. So Caltrans is basically
11 trying to accomplish this bridge widening and road
12 expansion without having to go through the new regulations
13 based on SB 743 that have been put in place to make sure
14 that we don't have road projects that worsen our
15 greenhouse gas emissions, and climate change, and make the
16 air quality worse.

17 So I think this requires a lot more attention to
18 detail. We do have a lawsuit, as I mentioned, against
19 Caltrans for this project and the piecemealing basis.
20 They promised this Environmental Impact Report five years
21 ago. Instead of producing the Environmental Impact
22 Report, they've proposed this project without any
23 environmental review.

24 So we ask that -- this is a project that should
25 not go forward without the Environmental Impact Report

1 looking at the impacts of this project on a larger basis.

2 Thank you very much.

3 CHAIRPERSON YEE: Thank you, Ralph four your
4 comments.

5 Katie, our next speaker, please.

6 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
7 you, Madam Chair. Our next speaker is John Deeter.

8 CHAIRPERSON YEE: Good afternoon, John.

9 MR. DEETER: Okay, yes. Yeah. Okay. I'm -- I'm
10 sorry we had two computers in the same room. Sorry about
11 that.

12 So yeah -- so I defer -- I raised my hand,
13 because Ralph wanted to speak and we were having problems
14 deciding which computer to use. So I won't add
15 anything -- anything to what Ralph said.

16 Thank you.

17 CHAIRPERSON YEE: Thank you.

18 Katie, our next speaker, please?

19 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
20 you, Madam Chair. At this time, we have no one else
21 signed up to provide comment on this item.

22 CHAIRPERSON YEE: Okay. Very well. Thank you.

23 Questions or comments, commissioners?

24 Yes, Commissioner Miller.

25 ACTING COMMISSIONER MILLER: Thank you, Chair.

1 Just -- I do think the confusion on the bridge widening
2 and the update on the EIR from Caltrans I do think would
3 be useful, if we could just reiterate the two answers to
4 those questions, because I think they were referenced in
5 the presentation.

6 EXECUTIVE OFFICER LUCCHESI: Certainly. We can
7 ask the Caltrans representative to respond to that.

8 CHAIRPERSON YEE: Mr. Perri.

9 ACTING COMMISSIONER MILLER: Thank you.

10 Katie, could we get Mr. Perri back on the line?

11 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Yes. I
12 am promoting him now.

13 MR. PERRI: Hi. Thank you. Can you hear me?

14 CHAIRPERSON YEE: Yes, we can hear you.

15 Did you hear the question by Commissioner Miller?

16 MR. PERRI: Yes.

17 CHAIRPERSON YEE: Okay.

18 MR. PERRI: Let me clarify. This particular
19 project that we are discussing right now was cleared
20 Environmentally with a Mitigated Negative Declaration.
21 The project that was referenced as needing an EIR is the
22 larger widening project of the full freeway, which the
23 project limits are from downtown Sacramento to Arden Way.

24 That project is going through its EIR right now.
25 That work is not complete. We are continuing to work on

1 that. This -- that is an expansion project. They're
2 correct. But that's a completely separate project than
3 this bridge maintenance project. As I mentioned and
4 showed in my video there -- or not video, but the
5 PowerPoint, this project is needed from a bridge
6 maintenance standpoint to keep the bridge intact and
7 continue working.

8 The reason that we're widening is so that we can
9 facilitate the construction of the bridge deck
10 replacement. There was mention of widening to add
11 vehicles to the lane. I mentioned earlier that the
12 existing bridge has three lanes in the northbound, three
13 lanes in the southbound, and that is going to remain even
14 after this project is complete. So again, the only reason
15 that we need to widen the bridge is to facilitate the
16 construction -- construction and shift traffic in order to
17 allow the construction equipment to work.

18 If we -- if we narrowed those lanes down to one
19 or two lanes in each direction, we'd have back up for 10
20 miles given the amount of volume on this freeway. This is
21 the most congested freeway in the Sacramento region. And
22 any construction that we do we've got to leave all three
23 lanes open during that construction. And the only way to
24 do that is to widen it to make that shift of traffic.

25 One more point of clarification, if you don't

1 mind. There was a comment made about -- mentioned
2 Caltrans discussion of environmental justice. The
3 response on the environmental justice that was sent to
4 State Lands from ECOS was sent because State Lands staff
5 submitted a request for input from ECOS, because of the
6 action on the Board's agenda today. So I just wanted to
7 clarify that. It was not Caltrans that made that request.
8 It was State Lands made the request to ECOS.

9 CHAIRPERSON YEE: Okay. Thank you, Mr. Perri,
10 for the clarification.

11 Okay. Other questions or comments,
12 commissioners?

13 Okay. Seeing no other public speakers on this
14 item, is there a motion on this item?

15 ACTING COMMISSIONER MILLER: I move the staff
16 recommendation on this item, please.

17 CHAIRPERSON YEE: Okay. We have a motion by
18 Commissioner Miller to move the staff recommendation on
19 this item.

20 ACTING COMMISSIONER DURLAO: And I second the
21 motion.

22 CHAIRPERSON YEE: Seconded by Commissioner
23 Dumlao.

24 Is that a unanimous vote?

25 Hearing no objection, such will be the order.

1 Thank you.

2 All right, commissioners. Let's move on to Item
3 44 at this point. This is the -- relating to the general
4 lease for the two existing concrete pipelines associated
5 with the San Onofre Nuclear Generating Station.

6 And we do have a presentation on this item.

7 Please.

8 (Thereupon a slide presentation.)

9 LAND MANAGEMENT DIVISION CHIEF BUGSCH: Yes.

10 Good afternoon --

11 CHAIRPERSON YEE: Good afternoon.

12 LAND MANAGEMENT DIVISION CHIEF BUGSCH: -- Madam
13 Chair and members of the Commission. Brian Bugsch, Chief
14 of Land Management, and I'm here to present on Item 44.

15 --o0o--

16 LAND MANAGEMENT DIVISION CHIEF BUGSCH: The
17 lessee, which is comprised of Southern California Edison
18 and San Diego Gas and electric is requesting that the
19 Commission consider approval of a new general lease
20 right-of-way use.

21 The proposed lease is for maintenance of two
22 existing non-operational concrete intake and discharge
23 conduits associated with the San Onofre Nuclear Generating
24 Station, or SONGS, Unit 1. The proposed lease would not
25 result in any construction or other ground-disturbing or

1 in-water activities. The applicant requested that the
2 lease term of the proposed lease coincide with the lease
3 for Units 2 and 3, so that both leases will expire at the
4 same time in 2053.

5 --o0o--

6 LAND MANAGEMENT DIVISION CHIEF BUGSCH: SONGS is
7 located approximately 50 while -- 50 miles northwest of
8 San Diego in San Diego County along I-5 offshore from Camp
9 Pendleton Marine Corps Base, and approximately two miles
10 south of San Clemente.

11 The onshore components of SONGS lie landward of
12 the ordinary high water mark on two parcels entirely
13 within the boundaries of Camp Pendleton and on land owned
14 by the U.S. Navy and outside of the Commission's
15 jurisdiction. The proposed lease facilities are located
16 in the Pacific Ocean offshore and waterward of the
17 ordinary high water mark.

18 --o0o--

19 LAND MANAGEMENT DIVISION CHIEF BUGSCH: The SONGS
20 Unit 1 began operations in 1968 and permanently ceased
21 operations in 1992. In '93, SONGS Unit 1 was placed in a
22 condition known as Safe Storage or SAFSTOR by the U.S.
23 Nuclear Regulatory Commission. In SAFSTOR, fuel is
24 removed from the reactor and systems are retired that are
25 no longer needed to maintain safe cooling of the

1 irradiated fuel.

2 In 2000, SoCal Edison began decommissioning Unit
3 1 removing structures, equipment, and sending them to a
4 disposal facility. The NRC issued a license amendment in
5 February 2010 releasing the offshore conduits in place for
6 unrestricted use. Decommissioning on the upland is not
7 complete, but all above-ground structures have been
8 demolished and removed. Unit 1 will remain in SAFSTOR
9 configuration until permanent retirement of Units 2 and 3,
10 and until this spent fuel has been moved off-site and
11 plant's independent spent fuel storage installations are
12 demolished.

13 As part of the decommissioning process for the
14 offshore conduits, the lessee sought an amendment of its
15 lease with the Commission. At its October 2005 meeting,
16 the Commission certified a Final EIR for disposition of
17 Offshore Cooling Water Conduits Project and authorized
18 amendment of the lease to install mammal exclusion
19 barriers with openings to allow sand migration into the
20 intake and discharge conduits and to abandon the two unit
21 one intake and discharge conduits.

22 The EIR was analyzed full -- or the EIR analyzed
23 full removal of the water conduits, but did not identify
24 full removal as the environmentally preferable option.
25 Pursuant to the Commission's lease amendment in 2005, the

1 lessee completed the partial removal work as contemplated
2 in the EIR and authorized by the Commission. Offshore,
3 the conduits are covered with approximately four feet of
4 sand and sediment in an average water depth of 25 feet.
5 At the beach, the conduits are buried beneath
6 approximately four feet of sand and sediment and do not
7 have an impact on navigational or recreational uses.

8 Through several inspections and surveys, the
9 depth of cover of the conduits has not changed during
10 their 50 years of existence. The mammal exclusion
11 barriers are designed to allow the conduits to fill
12 naturally with sand. It is unknown how much sand has
13 entered the conduits. Substantial work to remove the
14 grates would be required to evaluate the sand volume.

15 Full decommissioning of the SONGS -- of SONGS is
16 scheduled for completion in 2051. And any future
17 decommissioning activities on lands under the Commission's
18 jurisdiction will require a lease application and
19 Commission approval.

20 --o0o--

21 LAND MANAGEMENT DIVISION CHIEF BUGSCH: So as
22 detailed in our staff report, staff recommends to
23 authorize the issuance of a general lease right-of-way use
24 for the app -- to the applicant for the maintenance of two
25 non-operational conduits, a term of 13 years beginning on

1 March 21st, 2022, annual rent of \$126,629, insurance of 5
2 million and 10 million aggregate, or staff's self --
3 staff-approved self-insurance and a surety bond of
4 \$44,938,000.

5 That concludes staff's presentation and we're
6 available to answer questions. I think a representative
7 from SONGS is available to speak.

8 CHAIRPERSON YEE: Great. Thank you, Brian, very
9 much.

10 Why don't we hear from the representative from
11 SONGS before we turn it over to our commissioners.

12 Good afternoon.

13 MR. PONTELLE: Good afternoon, Chair Yee and
14 fellow commissioners. My name is Robert Pontelle. I'm an
15 attorney with Southern California Edison. I just wanted
16 to say thank you as always for staff's great help. We've
17 done a number of these leases. Staff is always fantastic
18 to work with. And unlike the one that we most recently
19 did in 2019 for the Units 2 and 3 decommissioning project,
20 that one, as staff mentioned, has no active development
21 working going on with it. This is purely for maintenance
22 of the existing facilities that are no longer operational.

23 And decommissioning -- or disposition of those
24 was completed in the 2014 time frame per the EIR that was
25 certified in 2005. And as a result of that work, the NRC

1 did issue, as was mentioned, a license amendment releasing
2 the conduits for unrestricted use. And the reason that's
3 important is because part of the basis for that was the
4 very radiological conditions in the conduits. We are --
5 we have seen a couple of much public comments question the
6 radiological standard for this. And I would just like to
7 mention why this is not the appropriate forum or time to
8 get into that review, because first and foremost, the NRC
9 has already signed off on the NRC -- the radiological
10 conditions.

11 In fact, in 2007, a study was done both by SCE
12 and another one confirmatory by the NRC showing that the
13 radiological conditions were less than one millirem within
14 the conduits themselves. And study was actually based on
15 a very conservative methodology that assumed somebody
16 would go into those conduits physically for the -- every
17 day during the lobster harvesting season for 173 days,
18 harvest shellfish, ingest the shellfish, be exposed to
19 radiation. And that we know is no longer possible
20 considering that the conduits have been plugged. They're
21 non-operational. The mammal exclusion barriers are in
22 place.

23 Not to mention, that over the 15-year time frame
24 since those 2007 studies were done, radiological
25 conditions have improved even more due to radioactive

1 decay over time for the various isotopes that may have
2 been found in there.

3 So in sum, we appreciate again your consideration
4 of this new lease as we continue decommissioning for the
5 entire plant. Thank you to staff for all the work. We're
6 available to answer any questions. I also have I believe
7 on Zoom remotely two of my colleagues who have more
8 scientific expertise than I, Dave Asti and Ronald Pontes.
9 But if you have any other questions, we appreciate very
10 much the opportunity to address them.

11 Thank you.

12 CHAIRPERSON YEE: Great. Thank you, Mr.
13 Pontelle.

14 Let me move to Katie to see about our public
15 speakers for this item.

16 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
17 you, Madam Chair, our next public commenter is Laura
18 Walsh.

19 MS. WALSH: Hi. Can you hear me?

20 CHAIRPERSON YEE: Yes, we can hear you. Good
21 afternoon.

22 MS. WALSH: Good afternoon. I'm Laura Walsh.
23 I'm the California Policy Manager for the Surfrider
24 Foundation. I appreciate this item is a rather routine
25 permit extension for the existing ocean conduits. But

1 just given the high stakes of nuclear radiation, we just
2 want to echo the formal written request of the Alliance
3 for Nuclear Responsibility, and that's around
4 strengthening the proposed lease terms. We think the
5 Commission should add language that requires SCE to
6 perform radiological cleanup and achieve the lowest
7 possible radiological dose achievable as a condition of
8 the lease. Based on what's been said, it sounds like
9 that's more than achievable.

10 We agree that Southern California deserves the
11 same level of project -- protection as has already been
12 achieved in Humboldt Bay and on the east coast and that's
13 the strict standard of at least 10 millirem.

14 And this lease is an opportunity to set the
15 expectation with SCE for stringent site remediation upon
16 lease termination and really should be included as a
17 condition of approval.

18 Thanks so much.

19 CHAIRPERSON YEE: Thank you so much.

20 Excuse me.

21 Our next speaker.

22 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our
23 next speaker is Jill Zamek.

24 CHAIRPERSON YEE: Good afternoon, Jill.

25 MS. ZAMEK: Hi. Jill Zamek. I'm speaking on

1 behalf of the San Luis Obispo Mothers for Peace.

2 Can you hear me okay?

3 CHAIRPERSON YEE: Yes, we can.

4 MS. ZAMEK: We are unopposed to the lease
5 extension, but only with the added stipulation that final
6 radiological cleanup be more stringent than NRC minimum
7 requirements. We recommend inclusion of the statement,
8 "Radiological cleanup shall achieve the lowest dose based
9 levels measured by millirems per year, previously approved
10 by the Nuclear Regulatory Commission in a licensee
11 termination plan for a commercial nuclear plant in the
12 United States.

13 This means that SONGS Unit 1 conduits will be
14 subject to 10 millirems per year rather than the general
15 25 millirems per year standard the NRC applies when not
16 stipulated in an agreement. This is an achievable
17 standard and has been accomplished at Humboldt Bay.
18 Facilities in Maine, Massachusetts, Vermont, and New York
19 have also agreed to this 10 millirem standard.

20 Thank you.

21 CHAIRPERSON YEE: Thank you very much.

22 Our next speaker, Katie.

23 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: My next
24 speaker is John Geesman.

25 CHAIRPERSON YEE: Good afternoon, John.

1 John, can you hear us?

2 MR. GEESMAN: Hello.

3 CHAIRPERSON YEE: Yes. Good afternoon.

4 MR. GEESMAN: Good afternoon, Chair Yee and
5 members of the Commission.

6 This is a fairly straightforward question. I'm
7 the attorney for the Alliance for Nuclear Responsibility.
8 We submitted language to you for suggested inclusion in
9 the lease. In our judgment, the lease should have a
10 quantified, measurable standard to be applied when it
11 terminates, and that's going to be either in 2035 or quite
12 likely extended until 2051 when Edison currently projects
13 their decommissioning project will be complete.

14 No reason at all why Edison cannot meet the
15 standard that the states of New York, Massachusetts,
16 Vermont, and Maine have all successfully applied through
17 the NRC process.

18 Now, in California, at Humboldt Bay where the
19 decommissioning has been completed, even PG&E was able to
20 establish -- or to accomplish a 6 millirem standard.
21 Edison has told you this afternoon that in 2010, the NRC
22 determined that they had achieved a standard less than 1
23 millirem for these conduits. So they're well on the way
24 to being in compliance. In our judgment, you should
25 approve the lease, but it should be conditioned upon

1 Edison meeting the standard that the NRC has previously
2 approved in a license termination plant at any commercial
3 nuclear power plant in the United States.

4 There's no reason why Californians should not
5 receive the same level of protection radiologically that
6 residents of New York, or Massachusetts, or Vermont, or
7 Maine already experience. In our judgment, this is a
8 straightforward question. Edison hasn't given you any
9 good reason why they couldn't comply, so we suggest that
10 you include that language in the lease.

11 I would remind you that this site is at the
12 epicenter of one of the most popular beaches in the State
13 Parks system. California beachgoers deserve just as much
14 radiological protection as residents of other states do,
15 and it's within your authority to accomplish that.

16 Thank you very much.

17 CHAIRPERSON YEE: Thank you for your comments.
18 Katie, our next speaker, please.

19 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
20 you Madam Chair.

21 At this time, we have no other speakers signed up
22 to speak on this item.

23 CHAIRPERSON YEE: Okay. Very well. Thank you.
24 Commissioners, questions or comments?

25 Maybe I -- Jennifer, if I could, I just want to

1 pose maybe a question. I appreciate the testimony we've
2 heard this afternoon, but it appears that -- I mean, I
3 feel like -- I feel like we have kind of a mismatch
4 between the concerns raised and the venue in which they're
5 raised. This is a standard lease renewal for the two
6 pipelines associated with Unit 1. But it seems to me --
7 and certainly I'm happy to see that with respect to all of
8 the facilities, that the safety levels are coming in
9 beyond expectations of safe levels. So that is good news.

10 But I guess I'm just wondering, one, if we even
11 have jurisdiction to impose such a condition on the lease.
12 And then secondly, if we did, how the heck would we
13 enforce it?

14 (Laughter.)

15 EXECUTIVE OFFICER LUCCHESI: Well, those are very
16 good questions, Chair Yee, and ones we struggled with as
17 well after receiving the comment letters that reflected
18 the comments that you just heard.

19 CHAIRPERSON YEE: Yes.

20 EXECUTIVE OFFICER LUCCHESI: And the NRC has
21 already acted on this. And the Commission is -- and we
22 dealt with this numerous times over the discussion and
23 deliberation over the Unit 1 decommissioning as well as
24 Units 2 and 3. We are federally preempted from requiring
25 additional terms and conditions as it relates to nuclear

1 fuel beyond what the NRC has already dictated and
2 required.

3 And so our hands are tied a bit on the request
4 that's before you to modify the lease terms. And from a
5 practical standpoint, the -- the levels are below what
6 anyone expected. And so we don't think as a staff that
7 requiring that additional condition as proposed, A, is
8 within our authority and jurisdiction, and B would result
9 in anything practically better than what's already being
10 achieved out there.

11 CHAIRPERSON YEE: Um-hmm. Okay.

12 EXECUTIVE OFFICER LUCCHESI: And I would just add
13 to your last question or -- that we do not have the staff
14 expertise in-house to be able to adequately enforce that.
15 We would be relying on the NRC --

16 CHAIRPERSON YEE: NRC, yeah.

17 EXECUTIVE OFFICER LUCCHESI: -- to help us do
18 that and they have already acted on this.

19 CHAIRPERSON YEE: Okay. All right. That --
20 thank you for the clarification. So it looks like there
21 have been multiple opportunities in the past to look at
22 pursuing this provision. And this is something that is
23 properly within the jurisdiction of the NRC rather than
24 this Lands Commission.

25 Okay. Any other comments?

1 If not, is there a motion on the item?

2 ACTING COMMISSIONER MILLER: Move approval of
3 staff recommendation.

4 ACTING COMMISSIONER DURLAO: Second it.

5 CHAIRPERSON YEE: We have a motion by
6 Commissioner Miller to approve the staff recommendation,
7 seconded by Commissioner Dumlao.

8 I believe that is a unanimous vote. Without
9 objection, such will be the order.

10 Thank you very much, Commissioners.

11 We'll now move to Item 56, which was also pulled
12 off of the consent agenda. And this relates to the
13 proposed tideland oil revenue expenditure by the City of
14 Long Beach for seven capital improvement projects. And do
15 we have a presentation on this one?

16 EXECUTIVE OFFICER LUCCHESI: We do. Reid
17 Boggiano is joining --

18 CHAIRPERSON YEE: Wonderful.

19 EXECUTIVE OFFICER LUCCHESI: -- us virtually once
20 again today.

21 CHAIRPERSON YEE: All right. Reid, back to you
22 again.

23 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: Good
24 afternoon again, Madam Chair and commissioners.

25 CHAIRPERSON YEE: Thank you.

1 (Thereupon a slide presentation.)

2 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: The
3 City of Long Beach is a trusty of sovereign tide and
4 submerged lands granted by the Legislature. The City's
5 statutory trust grant authorizes the City to spend
6 tideland oil revenue for specified uses, and requires the
7 city to notify the Commission of proposed expenditures.
8 Revenues must be expended for uses and purposes consistent
9 with the City's granting statutes and be for statewide
10 purposes as opposed to purely local interests.

11 The City is required to file a detailed
12 description of any proposed expenditure exceeding \$100,000
13 with the Commission 60 days before disbursement. The
14 Commission typically reviews several City expenditures
15 like this every year.

16 In February, the City notified staff of proposed
17 expenditures of tideland oil revenue to fund seven
18 projects located on and adjacent to the City's granted
19 lands for the Commission's review. It's important to note
20 that the granting statute limits the Commission's role in
21 its review to only the consistency of the expenditure with
22 the statutory trust grant, and that the expenditure is in
23 the best interests of the State. The Commission does not
24 have approval authority, but rather its role is to ensure
25 that the proposed expenditures are not inconsistent with

1 the statutory trust grant.

2 This slide lists the proposed expenditures before
3 the Commission for a review. The first expenditure is for
4 the junior lifeguard facility. The existing junior
5 lifeguard facility is outdated and is unable to
6 accommodate the expanding junior lifeguard program.

7 The project involves demolishing an existing
8 facility and returning the area to a Sandy Beach. The
9 City will replace the facilities with one-story building
10 with a viewing deck, stingray response room, lockers, and
11 meeting space. The City is notifying the Commission of an
12 addition \$1.2 million expenditure to fully fund the
13 construction of this project.

14 The second expenditure is for the convention
15 center area improvement project. The City is notifying
16 the Commission of \$550,000 expenditure to complete general
17 maintenance and improvements for repairs, upgrades, and
18 signage throughout the convention center complex.

19 The third expenditure is for the beach restroom
20 door replacement project. This project will replace
21 one-third of the restroom doors at various beach restroom
22 facilities throughout the City's waterfront. The City is
23 replacing the fiberglass doors and frames with metal doors
24 to repair damaged doors, reduce vandalism, and prevent the
25 unlawful entry that's occurred after hours when the public

1 restrooms are not in operation. The City requests that
2 the Commission review \$150,000 expenditure for this
3 project.

4 The fourth expenditure is for the one Junipero
5 basketball skating area. The project will add basketball
6 courts and a new skating area at Junipero Beach. The City
7 states that these facilities are popular and often at
8 capacity, and requests that the Commission review a
9 \$350,000 expenditure for the planning, design, and
10 outreach effort -- engagement efforts for this project.

11 The fifth expenditure is for the irrigation --
12 irrigation system improvements. This project involves
13 landscaping improvements along the waterfront as intended
14 to meet water conservation efforts and will replace 60
15 irrigation control cabinets and install a centralized
16 irrigation controller. The city requests that the
17 Commission review a \$400,000 expenditure for the first
18 phase of this project.

19 The sixth expenditure is the Belmont Veterans
20 Memorial Pier Replacement Project. The City has completed
21 a preliminary feasibility study and the public engagement
22 process for the proposed replacement of the Belmont
23 Veterans Memorial Pier. The City is ready to initiate the
24 conceptual design and engineering studies and requests the
25 Commission review a \$2 million expenditure to begin this

1 project.

2 The seventh and final expenditure is for the
3 Alamitos Bay Water Quality Enhancement Project. The
4 Alamitos Energy Center, also known as AES, draws ocean
5 water from Alamitos Bay and discharges the water to the
6 San Gabriel River as part of their once-through cooling
7 pumping systems.

8 AES is -- AES is a natural gas power plant that
9 provides electricity to Long Beach and the region. This
10 power generator uses ocean water to cool power plant
11 turbines. And these pump activities create currents that
12 pull ocean water into the bay improving circulation and
13 water quality.

14 Since 2019, City staff has been engaged in an
15 engineering feasibility study to evaluate the
16 effectiveness of new environmental friendly pumps at
17 different locations within the bay. The City employed a
18 consultant Moffatt and Nichol to identify alternative
19 pumping systems that would minimize the potential water
20 quality impacts within the bay due to pump cessation.
21 Moffatt and Nichol was charged with conducting an
22 engineering study to identify pumping options that could
23 be -- that could be feasibility -- feasibly constructed on
24 the AES site to develop design concepts illustrating those
25 options.

1 Additionally, Moffatt and Nichol was asked to
2 identify related permit and regulatory requirements design
3 and construction schedules, and cost estimates for each
4 alternative. This effort began with engagement of the
5 Regional Water Quality Control Board to determine whether
6 pumping and transfer of water from the Bay into the San
7 Gabriel River could continue once-through cooling
8 systems -- without once-through cooling systems.

9 After several months of discussion and study, the
10 Regional Water Quality Control Board identified an
11 approach that would require a new -- new city permit to
12 install fish-friendly pumps on the AES property and
13 continue the transfer of water from the bay to the San
14 Gabriel River.

15 The City and Moffatt and Nichol began
16 collaborating with AES to identify the most suitable
17 location for the new pumps among the six existing pump
18 intake wells associated with six AES power plant units.

19 In the spring of 2020, the City and AES
20 identified four conceptual design alternatives for the
21 installation of the new fish-friendly pumps. The City and
22 AES have preliminary selected a preferred design
23 alternative. It requires the least amount of new piping
24 and infrastructure.

25 The preliminary cost estimate for construction of

1 the preferred design alternative is 35 million and
2 operating and maintenance costs are estimated to be two
3 million annually. The next steps are for the City to work
4 with AES to continue the design of the project.

5 Environmental review will be initiated once the
6 preliminary design is complete and the city has an
7 adequate description of the project, which is required for
8 CEQA.

9 In 2019, the Commission reviewed a \$200,000
10 expenditure for an initial feasibility study and to begin
11 the conceptual designs. In 2020, the -- in the 2020 the
12 City -- the Commission reviewed an additional \$300,000
13 expenditure to continue with studies of the preliminary
14 designs. The City is now requesting the Commission to
15 review an additional \$250,000 to continue the design work
16 for the Alamitos Bay Water Quality Enhancement Project.

17 This concludes staff's presentation. I'm
18 available -- I'm available to answer any questions. And
19 I'll note that we also have representatives from the City
20 of Long Beach here. So after public comment, your welcome
21 to ask any questions that are more appropriately directed
22 to the City.

23 CHAIRPERSON YEE: Great. Thank you very much,
24 Reid, for the presentation.

25 Questions or comments by Commissioners at this

1 point?

2 Okay. Seeing none, Katie let me turn to you for
3 public speakers, please.

4 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
5 you, Madam Chair. For our first public speaker, we have
6 Charlene Angsuco. I just saw her on the list, but she
7 might have dropped off.

8 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: It
9 might be helpful, Katie, if -- to start with -- isn't
10 maybe Elizabeth on the line. I think she had the --
11 Charlene is with the City of Long Beach.

12 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

13 Okay. Elizabeth Lambe?

14 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: Yes.

15 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Okay.
16 Yes. All right. There we go.

17 CHAIRPERSON YEE: Okay. Good afternoon
18 Elizabeth.

19 MS. LAMBE: I was muted. So I had some comments
20 to make. Can I start with those comments?

21 CHAIRPERSON YEE: Yes, please. You have three
22 minutes.

23 MS. LAMBE: So I want you to know that I'm the
24 Executive Director of the Los Cerritos Wetlands Land
25 Trust. And we are concerned about the City of Long

1 Beach's plan to replace the pumps at the AES power plant,
2 pumps that the State has compelled AES to quit pumping
3 water through.

4 We have raised concerns with your staff and with
5 the Long Beach City Manager's Office about this proposal.
6 In response to our concerns, the City did set up a
7 conference call for us with their consultants, the same
8 ones mentioned here who prepared the circulation modeling
9 studies.

10 We shared that we were concerned that the pumps
11 may not really be a pollution abatement technique, that
12 they would be merely be pumping polluted water from the
13 bay and wetlands, and discharging it into the San Gabriel
14 River. And why that might be attractive to people who
15 recreate in Alamitos Bay, it wouldn't be for people who
16 surf in the river mouth and the downcurrent beach.

17 So for the purposes of the State Lands
18 Commission, my question to you is how much statewide
19 interest is there in moving polluted water from one water
20 body to another, since both are in equally popular
21 recreation sites? We're also trying to determine the
22 value of fish-friendly pumps and what fish-friendly pumps
23 means that are apparently needed to move the bay water
24 into the river.

25 Even assuming that marine organisms, both plants

1 an animal offspring, survive the trip through the pumps
2 and pipes, they are still removed from the wetlands and
3 possibly exposed to a natural predation when they are
4 discharged into the river and swept into the ocean. This
5 concerns us, because it would continue the removal of
6 wetlands organisms, something that is now outlawed for the
7 power plant. So my question is to you is, is there a
8 statewide interest in such a plan?

9 But then later we were told by the City's
10 consultants that the project isn't so much about pollution
11 abatement, but it's more habitat protection, at least
12 that's our best understanding, and that without the
13 circulation provided by the pumps, that eelgrass could not
14 survive in the bay. We've been very involved in the
15 wetlands restoration planning for the area and we talked
16 to experts we know, and they don't agree. There are
17 similar coastal wetlands in San Diego with less
18 circulation, but they had healthy seagrass beds.

19 We do appreciate the City putting us in touch
20 with their consultants. However, the next logical step
21 would be to provide us with their studies and data, so we
22 can do an independent review. And we've made repeated
23 requests for those studies and have never heard back.

24 We think we've raised legitimate questions that
25 we haven't received any answers to. In our view, without

1 seeing the underlying studies and allowing the peer
2 review, it is impossible for the State Lands Commission to
3 determine if there is a statewide interest in this
4 project.

5 We request that you deny approval of this one
6 part of the bundle that the City is asking you for funding
7 for, on the grounds that they haven't provided a statewide
8 interest. They should either fund their project with
9 their own money or provide these studies to State Lands
10 and the public.

11 Thank you so much for your time.

12 CHAIRPERSON YEE: Thank you, Ms. Lambe for your
13 comments.

14 Let me see if there are any other public speakers
15 before we address some of your issues that you've raised.

16 Katie, any other public speakers?

17 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
18 you, Madam Chair. At this time, we have no other speakers
19 for this item.

20 CHAIRPERSON YEE: Okay. Very well. Thank you.
21 Let me turn back to you, Reid, and the representatives
22 from the City of Long Beach maybe to address the
23 particular project that Ms. Lambe commented about.

24 EXECUTIVE OFFICER LUCCHESI: Controller Yee, I
25 will attempt to address it --

1 CHAIRPERSON YEE: Oh. Oh, good. Okay. Good.

2 EXECUTIVE OFFICER LUCCHESI: -- if that's okay?

3 CHAIRPERSON YEE: Please.

4 EXECUTIVE OFFICER LUCCHESI: And then if you have
5 technical questions about the project --

6 CHAIRPERSON YEE: Okay.

7 EXECUTIVE OFFICER LUCCHESI: -- we can bring the
8 City on. I just wanted to clarify that in normal -- or in
9 the traditional approvals that the Commission gives in
10 authorizing leases, the Commission is making specific
11 findings as it relates to the statewide best interest and
12 other Public Trust findings.

13 The statutory framework that governs the City's
14 grant and management of the Public Trust tidelands and the
15 revenues that are generated from those and being
16 reinvested in those tidelands, which is the subject of
17 this item, the Commission's review authority is
18 significantly more limited and restricted. And that's due
19 to the specific statutory direction that the Commission
20 has in reviewing these expenditures.

21 So the Commission's review is really solely --
22 it's narrow in terms of does the proposed expenditure, is
23 that inconsistent with the uses outlined in the City's
24 statutory trust grant. So it's a very different approach
25 and level of discretion in this particular instance. So I

1 just wanted to clarify that, because the Commission isn't
2 making findings relating to the statewide best interests
3 about this particular project or these expenditures. It's
4 is the expenditure inconsistent with the statutory trust
5 grant?

6 And that's the analysis and recommendation in the
7 staff report. And staff does not believe it is
8 inconsistent.

9 CHAIRPERSON YEE: Okay.

10 EXECUTIVE OFFICER LUCCHESI: I will also -- I
11 just want to also address the concerns raised about the
12 project itself and the benefits or the impacts. It's our
13 understanding -- you know, the City is in the design phase
14 element. They will be pursuing environmental impact
15 analysis consistent with CEQA. We will be looking at that
16 project as a trustee agency through that analysis, other
17 regulatory agencies will, the public will have ample
18 opportunity to review all the data and science that the
19 City is using to analyze a proposed project, once they
20 finalize the project description.

21 And so we'll know a lot more as they enter into
22 that phase of the project. And as a staff, we will be
23 looking at that analysis as well to ensure that our
24 trustee responsibilities are being implemented in the
25 oversight of these granted lands.

1 CHAIRPERSON YEE: Okay. Yeah, that's very
2 helpful, Jennifer. It's so unique from the perspective
3 that our decision here is really a consistency
4 determination with the granting statutes and not with
5 respect to the statewide benefit or for our purposes as
6 was alluded to by the -- by the commenter.

7 Okay. That makes sense. And then obviously this
8 is just a -- for a project of that -- of that character,
9 there will be many other opportunities to weigh in -- for
10 the public to weigh in.

11 EXECUTIVE OFFICER LUCCHESI: (Nods head.)

12 CHAIRPERSON YEE: Okay. Very well.

13 Other questions or comments, Commissioners?

14 If not, is there a motion?

15 ACTING COMMISSIONER MILLER: I'll move approval
16 of the staff recommendation. And thank you for that
17 explanation.

18 CHAIRPERSON YEE: Great. Thank you.

19 ACTING COMMISSIONER DURLAO: I'll second it.

20 CHAIRPERSON YEE: Thank you. We have a motion by
21 Commissioner Miller, seconded by Commissioner Durlao.
22 Without objection, that is a unanimous vote, such will be
23 the order.

24 Thank you.

25 All right. Thank you very much, Commissioners.

1 I believe that takes us back to the items on the
2 agenda. Item 62, I believe, is where we are picking up.
3 And this is our discussion and possible action on State
4 legislation relevant to the Commission.

5 And Sheri, good afternoon.

6 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Good
7 afternoon. Thank you, Madam Chair and commissioners.
8 This is an informational item that summarizes California's
9 legislation that the Commission has adopted a position on
10 or that staff is tracking this year.

11 We're not making any recommendations at this time
12 for the Commission to act on any of the legislation
13 enumerated in the staff report, but there are a lot of
14 significant policy changes embedded in these bills on
15 topics that are impactful to the Commission. They range
16 from carbon capture and sequestration, sea level rise,
17 equity, abandoned vessels, and many other issues.

18 As you know, the Legislature is in the midst of
19 their busy season, and the year is almost halfway over.
20 The Legislature will adjourn for summer recess or interim
21 recess in early July and return in April before adjourning
22 August 31st.

23 I just wanted to highlight a couple of bills the
24 Commission is in support of. AB 2257 by Assemblymember
25 Boerner-Horvath. That bill is going to be placed on the

1 Appropriations suspense file tomorrow.

2 And then the other bill I wanted to highlight is
3 AB 353 by Assemblymember O'Donnell, which relates to the
4 Long Beach Oil Trust Fund and the Commission also has a
5 support position on that bill.

6 That bill will be referred to a policy committee
7 sometime in the next month or so and have a hearing later
8 in June.

9 Before I end, I just wanted to highlight a couple
10 of bills that staff is tracking a little more carefully.
11 Senator Eggman has introduced SB 1065 that would require
12 the State to create and abandoned commercial vessel
13 program and task the State Lands Commission with
14 administering this program and the series of steps that it
15 would have to take including inventorying commercial
16 abandoned vessels, and making recommendations to the
17 Legislature on how to prevent vessels from being
18 abandoned.

19 The second bill I wanted to just highlight is SB
20 953 by Senator Min, which would require the Commission to
21 conduct an amortization study related to its offshore oil
22 and gas leases and seek to -- seek to achieve voluntary
23 relinquishments of those leases or terminate those leases
24 if the voluntary relinquishments are unsuccessful. And
25 that bill passed out of the Senate Natural Resources and

1 Water Committee today on a mostly party line vote and goes
2 to Senate Appropriations. It does not account for funding
3 or include the Long Beach oil and gas operations.

4 And that is it. Staff will continue to monitor
5 these bills and other bills especially as bills are
6 amended in the coming months up until the August deadline,
7 bring back to the Commission any bills that we recommend
8 the Commission consider or are important to note.

9 CHAIRPERSON YEE: Great. Thank you very much,
10 Sheri. Any questions or comments, commissioners?

11 ACTING COMMISSIONER MILLER: No, thank you.

12 CHAIRPERSON YEE: Okay. Very well. Thank you.

13 So now on to item -- oh, I'm sorry. Is there
14 any -- Katie, any public comment on this item?

15 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
16 you, Madam Chair. At this time, we have no public
17 speakers on this item.

18 CHAIRPERSON YEE: Okay. Thank you.

19 So we'll move on to Item 63. And this is
20 relating to taking a position on AB 1832 by Assemblymember
21 Rivas.

22 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.
23 Thank you, Madam Chair and commissioners. This item
24 recommends that the Commission adopt a support position on
25 AB 1832 by Assemblymember Rivas. This bill would ban

1 mining the seabed for hard minerals and define hard
2 minerals. The bill is modeled on legislation the State of
3 Washington enacted last year and also reflects a wider
4 call for a seabed mining moratorium from scientists,
5 academics, and countries around the world.

6 You may recall that when the Commission was
7 adopting its five year strategic plan, Pew Charitable
8 Trusts repeatedly urged the Commission to include a seabed
9 mining ban in the plan, and the Commission declined to
10 include the banned and -- band -- ban and recommended
11 instead that Pew pursue this change legislatively.

12 The Commission is currently permitted by law to
13 issue seabed mining leases, when it appears that the
14 leases and associated operations will not interfere with
15 the trust. AB 1832 would change that and prohibit the
16 Commission or a local trustee of granted public trust
17 lands from issuing a lease or permit to extract or remove
18 hard minerals.

19 The bill does not prevent scientific research or
20 collections conducted by or on behalf of an educational or
21 academic institution if authorized.

22 The seabed has been called the largest untouched
23 ecosystem in the world. The International Union for
24 Conservation of Nature, the global authority on the status
25 of the natural world, and the measures needed to safeguard

1 it has called for a global moratorium on deep sea mining.
2 Many companies Google, Patagonia, BMW, and others have
3 called for a temporary ban and over 600 marine, science
4 and policy experts have called for a pause.

5 Deep seabed mining can irrevocably destroy marine
6 ecosystems and has been characterized as taking a giant
7 backing to the seabed floor. We think seabed is at -- is
8 at odd -- seabed mining is at odds with California's role
9 as an environmental leader, and its many policies, and
10 statutes, and Executive Orders. The Pacific Ocean is
11 already facing a number of challenges, acidification,
12 overfishing, and pollution, and a myriad other -- other
13 challenges.

14 The Natural Resources Committee approved AB 1832
15 unanimously on an 11 to 0 vote. The Monterey Bay Aquarium
16 and the Surfrider Foundation are co-sponsoring the bill,
17 and it's pending in the Assembly Appropriations Committee.

18 CHAIRPERSON YEE: Thank you very much.

19 Questions or comments, commissioners?

20 Okay. Seeing none, let me turn to Katie for any
21 public comment on this item.

22 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
23 you Madam Chair. At this time, we have no public speakers
24 for the item.

25 CHAIRPERSON YEE: Okay. No public speakers for

1 this item, Item 63?

2 Hearing and seeing none, is there a motion on
3 this bill?

4 And, Commissioner Miller, you're staying off?

5 ACTING COMMISSIONER MILLER: I'm abstaining, yes.
6 So thank you.

7 CHAIRPERSON YEE: Okay. Thank you.

8 I will move to approve a support position on this
9 bill by the Commission.

10 ACTING COMMISSIONER DURLAO: And I second that
11 motion.

12 CHAIRPERSON YEE: Thank you, Commissioner Durlao.
13 So with that, Ms. Lucchesi, may I just have you
14 call the roll for the record.

15 EXECUTIVE OFFICER LUCCHESI: Sorry. We were just
16 checking the public comment list to make sure.

17 CHAIRPERSON YEE: Yes.

18 EXECUTIVE OFFICER LUCCHESI: Commission Durlao?

19 ACTING COMMISSIONER DURLAO: Aye.

20 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

21 ACTING COMMISSIONER MILLER: Abstain, please.

22 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

23 CHAIRPERSON YEE: Aye.

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

1 CHAIRPERSON YEE: Great. Than you very much.

2 I had to do a double take on the public speakers
3 too.

4 (Laughter.)

5 CHAIRPERSON YEE: Okay.

6 All right. Moving on to Item 64. This is also
7 consideration of support of legislation on AB 2109.

8 Sheri.

9 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.
10 Thank you, Madam Chair and commissioners. This item
11 recommends that the Commission adopt a support position on
12 AB 2109 by Assembly members Bennett and Bloom. This bill
13 would make it illegal to use bait or chum to attract a
14 white shark or to place bait or chum or another attractant
15 into the water when a white shark is present, except if
16 authorized by a permit from the Department of Fish and
17 Wildlife for scientific or educational purposes.

18 Ocean activities have increased in the past few
19 decades, because of the growing population and the greater
20 populate -- popularity of ocean activities. Wildlife
21 tourism has also grown in popularity. Cage diving and
22 viewing great white sharks works by boats are examples of
23 wildlife tourism and are a growing business in California.

24 It has been reported that some individuals
25 operating white shark viewing tours by boat have used

1 attractants like chum, or bait, or a decoy for cage diving
2 operations in areas with an abundance of white sharks
3 potentially putting the public at risk. Boat operators
4 may attempt to use some form of attractant to bring white
5 sharks near the vessel to increase the likelihood of a
6 successful view.

7 It's illegal under State law to catch, pursue,
8 hunt, capture, or kill a white shark. White sharks are
9 also protected by federal regulations and must be
10 immediately released, if caught accidentally. But
11 existing law is defined in terms of a taking. It's
12 unlawful to take any white shark. Although attracting
13 white sharks with bait or decoy is considered an attempt
14 to pursue the animal. When excursion companies use
15 attractants or decoys to lure sharks, they're technically
16 not taking the shark. They are -- it is therefore unclear
17 whether existing white shark protections prohibit
18 attracting white sharks for entertainment purposes. This
19 bill would remove that ambiguity and make it explicit that
20 this practice is illegal.

21 One of the most important responsibilities of the
22 Commission is to preserve and increase public access to
23 the tide and submerged lands, including those that run
24 along California's shoreline. Great white sharks are
25 important to the marine ecosystem, and using bait or other

1 attractants in areas where there is human activity
2 increases the likelihood of a shark attack occurring.

3 AB 2109 will make it clear that it's illegal to
4 use bait or decoys to attract great white sharks. The
5 bill is designed to make the ocean safer for human use,
6 and ocean activities, and for sharks. And this aligns we
7 think with the Commission's public access and Public Trust
8 responsibilities.

9 The Assembly Water, Parks, and Wildlife Committee
10 approved AB 2109 on a 10 to 0 vote with 5 abstentions.
11 The bill supported is by California Fish and Game Warden
12 supervisors and managers, Defenders of Wildlife, Monterey
13 Bay Aquarium, and Oceana and it has not received any
14 opposition.

15 Thank you.

16 CHAIRPERSON YEE: Great. Thank you, Sheri.

17 Questions or comments, commissioners?

18 Commissioner Dumlao.

19 ACTING COMMISSIONER DURLAO: It just seems like a
20 smart move.

21 CHAIRPERSON YEE: It does.

22 I can't believe we've had this ambiguity for so
23 long.

24 (Laughter.)

25 CHAIRPERSON YEE: Okay.

1 ACTING COMMISSIONER MILLER: And, Madam Chair,
2 despite that, I will be abstaining.

3 (Laughter.)

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

6 Let me turn to you, Katie, for any public comment
7 on this item.

8 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
9 you, Madam Chair. Our first public commenter is Laura
10 Walsh. And apologies, I also missed her and Amy on that
11 last item.

12 CHAIRPERSON YEE: Okay.

13 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: You may
14 also provide a comment on that last item.

15 CHAIRPERSON YEE: Okay. Thank you.

16 Laura, Good afternoon.

17 MS. WALSH: Hey. Hi again. Thank you so much.
18 This is Laura Walsh California Policy Manager for
19 Surfrider Foundation. And I don't want to take away from
20 this item. I'm registering my support for the last item
21 regarding AB 1832 and really appreciate the passage of the
22 item. Thanks so much.

23 CHAIRPERSON YEE: Sure.

24 Okay. Katie, our next speaker.

25 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank

1 you, Madam Chair. Our next speaker is Amy Wolfrum.

2 Good afternoon, Amy.

3 MS. WOLFRUM: Good afternoon. Thank you for
4 letting me have the ability to get logged on here.

5 So I had also intended to register my strong
6 support for the last item and I want to commend you on
7 your decision to pass it. So thank you very much. And I
8 also am here -- my name is Amy Wolfrum and I'm the
9 California Ocean Policy Senior Manager for Monterey Bay
10 Aquarium.

11 And I'm also here in support of this legislation,
12 because we do appreciate the attention and the staff
13 report on this, as well as the support to ban the use of
14 any bait, lure, or chum to attract a white shark in
15 California waters. We also think it's a smart decision.

16 So I'm here on behalf of Monterey Bay Aquarium,
17 along with Oceana and the California Fish and Game
18 Warden's Supervisors and Managers Association, and all of
19 us are in support of this bill and we urge the Commission
20 to vote in favor of this item.

21 Thank you very much.

22 CHAIRPERSON YEE: Thank you, Amy, very much for
23 your comment.

24 Katie, our next speaker.

25 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our

1 next speaker is Michelle Sevilla.

2 CHAIRPERSON YEE: Good afternoon, Michelle.

3 MS. SEVILLA: Thank you so much, Commission
4 members and staff, for your consideration of this
5 important bill. It was a pleasure to see some of you
6 earlier at the Piers 421 tour.

7 Again, my name is Michelle Sevilla and I am one
8 of Assemblymember Steve Bennett's field representatives
9 here in the district. And I cover water, parks and
10 wildlife, and other environment-related policy areas.

11 Assemblymember Bennett requests the California
12 State Land Commission's support for AB 2109, which would
13 prohibit the use of bait or animal decoys for the purpose
14 of attracting or viewing white sharks.

15 As climate change continues to warm our oceans,
16 drawing sea creatures like white sharks closer to our
17 shores. These creates understandably draw the fascination
18 and interest of the general public. However, white shark
19 tours are often in areas with an abundance of both white
20 sharks and ocean users, potentially putting members of the
21 public at risk.

22 In the past 52 years, there have only been 202
23 reported shark-human incidents. And we do not want that
24 number to rise, further risking both species.

25 Assemblymember Bennett again respectfully

1 requests your support of AB 2109. Thank you very much.

2 CHAIRPERSON YEE: Thank you very much, Michelle,
3 for your comments.

4 Katie, our next speaker, please.

5 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
6 you, Madam Chair. At this time, we have no -- no other
7 speakers for this item.

8 CHAIRPERSON YEE: Okay. Very well. Than you.
9 Very much.

10 Seeing no other public comment on this item, I
11 will move support on AB 2109 by the Commission.

12 ACTING COMMISSIONER DURLAO: And I second that
13 motion.

14 CHAIRPERSON YEE: Seconded by Commissioner
15 Durlao.

16 Ms. Lucchesi, will you call the roll.

17 EXECUTIVE OFFICER LUCCHESI: Certainly.

18 Commissioner Durlao?

19 ACTING COMMISSIONER DURLAO: Aye.

20 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

21 ACTING COMMISSIONER MILLER: Abstain.

22 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

23 CHAIRPERSON YEE: Aye.

24 EXECUTIVE OFFICER LUCCHESI: The motion passes
25 with two votes and one abstention

1 CHAIRPERSON YEE: Great. Thank you very much,
2 commissioners.

3 All right. Now, we will move on to Item 65, and
4 this is an informational item. And we will be receiving a
5 presentation by the Ocean Protection Council on the State
6 Agency Sea Level Rise Action Plan for California. And
7 this is a really wonderfully collaborative effort. And I
8 just want to thank the Ocean Protection Council, Ella, you
9 for being here for the presentation and look forward to
10 having you share it with us. Good afternoon.

11 MS. MCDOUGAL: Good afternoon.

12 ACTING CHAIRPERSON MILLER: Madam Chair.

13 CHAIRPERSON YEE: Yes, please.

14 ACTING COMMISSIONER MILLER: Oh, I'm sorry. I'm
15 going to apologize if I have to leave a little bit early
16 before your presentation is over.

17 MS. MCDOUGAL: No problem. Nothing at all.
18 Thank you.

19 ACTING COMMISSIONER MILLER: Thank you so much

20 CHAIRPERSON YEE: Thank you, Commissioner Miller.
21 Thank you.

22 MS. MCDOUGAL: I certainly understand.

23 Thank you so much, Chair Yee and commissioners
24 for having me today. Do I have slides?

25 (Thereupon a slide presentation.)

1 MS. MCDOUGAL: Oh, fantastic. Look at that.

2 Good afternoon. My name is Ella McDougal and I
3 am the Climate Change Program Manager with the Ocean
4 Protection Council. And today I will be presenting the
5 recently released State Agency Sea Level Rise Action Plan
6 for California. And Chair Yee is quite familiar with
7 this, because I believe she was present when we passed
8 it -- or when we publicly released it in February.

9 In a few words, the action plan is a
10 collaborative roadmap to help California achieve coastal
11 resilience and sea level rise adaptation. And I'm just
12 going to share a little bit of the history of sea level
13 rise in California as well.

14 So, slide please.

15 --o0o--

16 MS. MCDOUGAL: Great. So seas -- sea levels will
17 continue to rise at an accelerating rate. This is
18 something that we know and they will threaten our
19 coastlines, our communities, our coastal habitats, and
20 critical infrastructure. The impacts we may face include
21 flooding, erosion, extreme high tides, and worsening
22 coastal storms. And two specific examples that we already
23 see today are King tides and bluff collapse. And these
24 impacts really jeopardize our safety and our livelihoods
25 along the coast of California.

1 That said, the State of California has sound
2 science and guidance to begin planning for sea level rise
3 and coastal resiliency. There is a lot of doom and gloom
4 in this presentation, but there's a lot of silver linings
5 as well, just to warn you

6 (Laughter.)

7 MS. MCDUGAL: Slide, please.

8 --o0o--

9 MS. MCDUGAL: As you all may know, there was a
10 national report released on sea level rise in February of
11 this year. And it reiterates -- reiterates the need for
12 urgent and ambitious action. Projected sea level rise
13 over the next 30 years could rise as much as was observed
14 in the past 100 years showing remarkable acceleration.

15 The updated likely projections in this report,
16 which is from NASA, NOAA, USGS, U.S. EPA and a number of
17 other agencies, show just under 1 foot of sea level rise
18 by 2050 and around 3.5 feet by 2100. The report presents
19 a reduced range of uncertainty for protections allowing us
20 to be more confident in our planning targets.

21 And perhaps more critically, we expect a rapid
22 increase in the rate of sea level rise and the number of
23 sunny day floods by the year 2035 as is shown in this
24 graph of La Jolla, and that will, of course, cause
25 repetitive and very costly damage.

1 Slide, please.

2 --o0o--

3 MS. MCDUGAL: One of the easiest ways to measure
4 the benefit of addressing sea level rise early and
5 robustly is by understanding how much money we will save
6 on future damage and repairs. There's a lot of studies
7 outlined on this slide, but most critically, one analysis
8 found that with 1.7 feet of sea level rise, \$17.9 billion
9 of commercial and residential Buildings will be at risk of
10 inundation. Another study found that San Elijo State
11 Beach loses \$59,400 of revenue a year, and that results in
12 4,320 visitors who are annually no longer coming to the
13 beach due to those eroding beaches.

14 And near Gleason Beach, a one-mile section of
15 roadway is subject to chronic bluff erosion and that is
16 costing \$40 million to elevate and realign.

17 We can also quantify impacts in terms of our
18 coastal habitats and natural areas. It's possible that
19 one-third to two-thirds of Southern California beaches
20 could erode by 2100 if no intervention is performed. And
21 a study done by State Parks and the Coastal Conservancy
22 found that with five feet of sea level rise and a hundred
23 year storm, there will be 593 State Park structures, 150
24 parking lots, 93 camp grounds, and 65 miles of access
25 roads at risk.

1 Slide, please.

2 --o0o--

3 MS. MCDOUGAL: We know for sure that underserved,
4 low-income, and marginalized communities, which we
5 collectively refer to as communities entitled to
6 environmental justice, carry more of the burden of climate
7 change than others.

8 Toxic Tides is recent study from UC Berkeley and
9 UCLA that analyzed how sea level rise will impact
10 contaminated sites. And it found that 440 hazardous
11 facilities, which include power plants, refineries,
12 industrial facilities and hazardous waste sites are at
13 risk of coastal flooding by 2,100 under a high emissions
14 scenario.

15 These toxic sites are five times more likely to
16 be located within one mile of a community entitled to
17 environmental justice, meaning that these communities bear
18 much heavier consequences of climate change and sea level
19 rise than their neighboring wealthy communities.

20 So with this data in mind, we are working to
21 ensure that coastal resilience and sea level rise
22 adaptation efforts are equitable and just especially from
23 the funding and community outreach approach.

24 Slide, please.

25 --o0o--

1 MS. MCDUGAL: This is, of course, a major call
2 to action and so we're here to act. In the past few years
3 leading up to this effort, the State has made impressive
4 strides towards sea level rise, planning, and adaptation.
5 In 2018, OPC released the sea level rise guidance to guide
6 local decision-makers and planners on how to prioritize
7 for coastal resilience. And this is being updated in the
8 next year.

9 In 2021, the Coastal Commission put together a
10 comprehensive guidance for adapting critical
11 infrastructure to sea level rise with a focus on two
12 sectors, transportation and water. State Parks released
13 the sea level rise adaptation strategy to address the
14 urgency of sea level rise planning for their coastal State
15 Parks units, and which, by the way, accounts for a quarter
16 of our coast.

17 BCDC also recently released their Bay Adapt Joint
18 Platform, an initiative to establish regional agreement on
19 sea level rise action. And I would be remiss not to
20 mention AB 691, which created the call for sea level rise
21 vulnerability assessments for all public State coastal
22 lands. And that would set amazing precedence for setting
23 sea level rise vulnerability along the coast of
24 California.

25 And in late 2021, exciting sea level rise

1 legislation known as SB 1 was passed and signed into law
2 by Governor Newsom. And this legislation prioritizes sea
3 level rise through planning, education, and technical
4 assistance.

5 And in that same year, significant funding was
6 allocated to coastal resilience in the State budget, which
7 includes a hundred million to OPC for coastal and ocean
8 projects, 500 million to the Coastal Conservancy for
9 coastal adaptation and resiliency, 30 million to the
10 Coastal Commission for planning, and 11.5 to State Parks
11 to implement their sea level rise adaptation strategy.

12 Slide, please.

13 --o0o--

14 MS. MCDUGAL: So to make these collaborative
15 efforts work, widespread input and participation is
16 needed. And this occurred through the OPC facilitated sea
17 level rise leadership group, an energetic and hard working
18 group of 17 State agencies, one of which is the State
19 Lands Commission, with quarterly working groups and
20 bi-annual executive committee meetings, this group guides
21 state -- statewide sea level rise action and policy for
22 California.

23 Slide, please.

24 --o0o--

25 MS. MCDUGAL: In 2020, OPC published the,

1 "Principles for Aligned State Action", to address sea
2 level rise. These principles were forward-thinking and
3 pushed the envelope on action and funding, and they're up
4 on the screen, and they are as follows: Best available
5 science, number 1, most importantly; partnerships;
6 improving communications; supporting local leadership and
7 local conditions; strengthening alignment around coastal
8 resilience; coastal projects; and integrating and
9 prioritizing equity and social justice.

10 Slide, please.

11 --o0o--

12 MS. MCDUGAL: After the adoption of the
13 aforementioned sea level rise principles, the executive
14 team -- or the sea level rise leadership team executive
15 committee tasked the working group with the creation of an
16 action plan that would show exactly how to implement those
17 principles. With leadership from OPC, and a year's worth
18 of working group meetings, lots of one-on-one agency
19 meetings, which we're very grateful for the staff in this
20 room for participating in, and several sets of comments,
21 the action plan was developed. And in my mind, it's truly
22 an example of how to take science and research and turn it
23 into policy, and then continue to turn it into statewide
24 action.

25 Slide, please.

1 --o0o--

2 MS. MCDOUGAL: In this action plan, you'll find
3 around 80 agency-specific actions that span all seven sea
4 level rise principles. They include items such as
5 research, how to prioritize nature-based solutions,
6 various policy initiatives, and community -- communication
7 efforts that are already and will be underway.

8 Overarching goals were pulled from the
9 developed -- from the development of the action plan to
10 help us guide and focus our efforts. And they include
11 items such as coast-wide adaptation plans, funding
12 mechanisms, preserving and restoring habitat, and ensuring
13 equity and justice.

14 And in order to show accountability and success,
15 the actions in this plan are tied to trackable metrics.
16 These include what type of deliverable or outcome is
17 expected with each action, such as a newly adopted policy,
18 or report, or guidance, which agency will lead or support
19 the completion of the action, and when. And these
20 measures will help keep us on track and accountable for
21 the things that we set before ourselves.

22 Most actions in this action plan apply to a
23 statewide scope, but some were developed specifically with
24 regions in mind, such as the Bay and Delta. And as you
25 see in the principles, an entire section of the action

1 plan is designated to equity and social justice actions
2 pertaining to sea level rise.

3 To designate which actions, because there are 80
4 of them, our highest priority, about 20 of them were
5 listed as critical. And this helps us understand what is
6 most vital to pushing the envelope on coastal resilience.
7 And these actions are either already funded or will be
8 funded with the upcoming budget.

9 Slide, please.

10 --o0o--

11 MS. MCDUGAL: Following the release of the
12 action plan, we have been open for public comment, which
13 will be -- which will conclude on June 3rd. If you would
14 like to submit public comment, you may do so through the
15 email at the bottom of the slide.

16 We're also working on our social media awareness
17 campaign, which we've already initiated and we are working
18 on ensuring that outreach is complete and total with
19 the -- this action plan. We are also embarking on a
20 tribal consultation process to ensure that California
21 Native American tribes have their voices heard and
22 integrated.

23 And this is, of course, a living document, so we
24 will be accepting comment and updating as we see changes
25 that need to be made, but over time, as agencies progress

1 on their actions, we'll adjust timelines, we'll adjust
2 outcomes, et cetera. So we'll continue to meet and assess
3 our progress as a leadership team and share a new and
4 updated document as is fit.

5 Thank you so much. That's all I have. And I'm
6 keen to take any questions you may have.

7 CHAIRPERSON YEE: Thank you very much, Ella, for
8 the presentation. And thank you to OPC for its leadership
9 of what I think is probably a historic coordinated --
10 coordination and collaboration effort by our various State
11 agencies.

12 I did have one question and that is with respect
13 to this period of getting feedback, specific measures that
14 were taken to be sure that we are engaging our communities
15 entitled to environmental justice. This obviously has the
16 most significant impacts on them, but can you just
17 describe maybe some of that work in progress? And I --
18 this is definitely a living document, and we want to be
19 sure their voices are incorporated into this.

20 MS. MCDUGAL: Sure. We've done as much outreach
21 as we can, and that includes public hearing, specific
22 outreach to those community leaders, news letters, social
23 media campaigns to make sure that we hit those communities
24 that are, you know, targeted to ensure that they're fairly
25 being included. And we're also doing our tribal

1 consultation as a parallel track to make sure that tribes
2 are aware of the effort. And we've bundled that effort
3 with a couple other consultations on our tribal engagement
4 strategy.

5 So it's an ongoing process and it is not bound by
6 that deadline of June 3rd. The tribal consultation will
7 extend until -- until it's needed, so, you know, we're
8 trying to make sure that we're as accommodating as
9 possible.

10 CHAIRPERSON YEE: Okay. And I know we've had
11 limitations in terms of being in those communities, but to
12 the extent that we can meet them where they are, I hope we
13 have more opportunities to do that.

14 MS. MCDUGAL: Absolutely. Thank you.

15 CHAIRPERSON YEE: All right. Thank you.

16 Commissioner Dumlao.

17 ACTING COMMISSIONER DURLAO: I just wanted to say
18 thank you to OPC, to you, Chair Yee, for your leadership.
19 This is an incredibly daunting task and it does require a
20 whole-of-government approach, and bringing everyone
21 together on these regular meetings breaking down the silos
22 is so important. So thank you for all of your work. This
23 is really, really important.

24 CHAIRPERSON YEE: Thank you.

25 Let me turn to Katie to see if there are public

1 comments on this item.

2 Katie.

3 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
4 you, Madam Chair. We have no public commenters for this
5 item.

6 CHAIRPERSON YEE: Okay. All right. Thank you.

7 I know this is probably one of the first or early
8 State entities hearing this presentation since the --

9 MS. MCDUGAL: Yeah, third or fourth.

10 CHAIRPERSON YEE: Okay. All right. Good. Good.

11 But thank you for coming down and really taking
12 what has been just really I think a great effort, and
13 challenging effort, and continuing to make it the best
14 work-product and getting the feedback from members of the
15 public and look forward to continuing to make progress.

16 Thank you.

17 MS. MCDUGAL: Thank you. And as Commissioner
18 Dumlao said really thank you, Chair Yee, for your
19 leadership as well. You know, the creating of the
20 workplan is one thing, but implementing it will be another
21 step, so we appreciate your partnership on that and look
22 forward to --

23 CHAIRPERSON YEE: And to this Commission -- the
24 State Lands Commission, I mean, this is from the AB 671
25 work to my Deputy Controller for Environmental Policy

1 Kristina Kunkel who sunk her teeth into this more than I
2 think she ever expected at this point, but now to the
3 solutions part, right?

4 MS. MCDUGAL: Right.

5 CHAIRPERSON YEE: And so really excited about the
6 work ahead.

7 MS. MCDUGAL: Thank you.

8 CHAIRPERSON YEE: Thank you. All right,
9 commissioners, thank you. So let's see, Ms. Lucchesi,
10 what's our next order of business?

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

13 CHAIRPERSON YEE: Okay. So at this time, if
14 anyone wants to address the Commission on any matter that
15 is not on today's agenda, please either come up to the
16 podium or raise your hand. I will call on those who are
17 here in person first, and next we'll move on to those who
18 are joining us virtually.

19 And Katie, I'll turn to you, when you're ready,
20 to see who the first person maybe who wishes to make a
21 public comment at this time.

22 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
23 you, Madam Chair. Virtually, we have no public commenters
24 raising their hand to provide comment at this time.

25 CHAIRPERSON YEE: Okay. All right. And I don't

1 see anyone in the room wishing to address the
2 commissioners.

3 So, at this time, Commissioner Dumlao, any other
4 comments or questions?

5 ACTING COMMISSIONER DURLAO: (Shakes head.)

6 CHAIRPERSON YEE: Thank you for your
7 participation throughout today, really a spectacular day.

8 Ms. Lucchesi, our next order of business.

9 Oh, I'm sorry. I believe -- is that the entire
10 agenda. There's no closed session today?

11 EXECUTIVE OFFICER LUCCHESI: Right. I was just
12 going to mention that.

13 CHAIRPERSON YEE: All right.

14 EXECUTIVE OFFICER LUCCHESI: So our next order of
15 business would typically be closed session, but we do not
16 have items to discuss in closed session today. So through
17 the Chair, I recommend we adjourn the meeting until
18 tomorrow, where the meeting will be continued at Rincon
19 Island for our second site visit.

20 CHAIRPERSON YEE: Okay. Great. So that's -- we
21 are now -- having concluded the matters before us, we will
22 adjourn this portion of the meeting until roughly 11 a.m.
23 tomorrow, April 27th, at Rincon Island, located at Mussel
24 Shoals, Ventura County. And the purpose of that meeting
25 will be a tour and presentation or tour and inspection of

1 the active work site at Rincon Island. As noticed in the
2 published agenda, the public is welcome to attend.
3 However, there is limited parking, so please carpool or
4 ride share, if possible. The terrain is uneven and proper
5 attire, including sturdy closed toe footwear should be
6 worn. Rincon Island and the causeway is used to -- is
7 used to -- Rincon -- Rincon island and the causeway -- I'm
8 sorry, I'm not reading this --

9 EXECUTIVE OFFICER LUCCHESI: Yeah, they're both
10 active worksites.

11 CHAIRPERSON YEE: Are they active?

12 EXECUTIVE OFFICER LUCCHESI: Yeah.

13 CHAIRPERSON YEE: Okay. Okay.

14 EXECUTIVE OFFICER LUCCHESI: And so we want to
15 make sure that members of the public that attend sign a
16 liability waiver.

17 CHAIRPERSON YEE: Okay. Alrighty. Great. So
18 any members of the public who wish to attend will need to
19 sign a liability waiver, will need to stay with the group,
20 and must follow all safety instructions while present. So
21 we look forward to members of the public participating,
22 but there are -- those will be the conditions for
23 tomorrow. And I will remind the Commissioners and their
24 staff to avoid discussing any official business until we
25 resume the meeting.

1 So with no other business to come before the
2 commission, we will continue the meeting tomorrow at
3 Rincon Island at Mussel Shoals, Ventura County at 11 a.m.

4 Than you very much, everyone.

5 (Thereupon the California State Lands
6 Commission meeting adjourned at 4:44 p.m.)

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