

MEETING
STATE OF CALIFORNIA
STATE LANDS COMMISSION

ZOOM PLATFORM

TUESDAY, OCTOBER 25, 2022

1:06 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

Joe Stephenshaw, 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

Lucinda Calvo, Staff Attorney, Legal Division

Max Liebergesell, Sea Grant Fellow

Ricky Lee, Associate Mineral Resources Engineer, Mineral
Resources Management Division

Katie Robinson-Filipp, Environmental Scientist

Michael Wells, Sea Grant Fellow

ATTORNEY GENERAL:

Andrew Vogel, Supervising Deputy Attorney General

ALSO PRESENT:

Eileen Boken, Coalition for San Francisco Neighborhoods

Brady Bradshaw, Center for Biological Diversity

APPEARANCES CONTINUED

ALSO PRESENT:

Susanne Cumming, Defend Ballona Wetlands

Jeffrey Finn, San Francisco Boardsailing Association

Marcia Hanscom, Protect Ballona Wetlands

Christina Ku

Walter Lamb, Ballona Wetlands Land Trust

Job Nelson, Port of San Diego

Robert "Roy" van de Hoek, Ballona Wetlands Institute

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I Open Session	1
II Public Comment	5
<p>Public comments will be heard at 1:00 p.m. 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 August 23, 2022 meeting	25
IV Executive Officer's Report	26
<p>Continuation of Rent Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:</p> <ul style="list-style-type: none">- North Tahoe Cruises, Inc. (Lessee): Continuation of rent at \$9,291 per year for a General Lease - Commercial Use located on state sovereign land in Lake Tahoe, Placer County. (PRC 8663) - Southern California Gas Company (Lessee): Continuation of rent at \$4,938 per year for a General Lease - Right-of-Way Use located on state sovereign land in the historic bed of the Colorado River, near Blythe, Riverside County. (PRC 3642) <p>Tomales Bay Assignment Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:</p> <ul style="list-style-type: none">- No items for this section	

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V Consent Calendar 01-58

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

Land Management

Northern Region

- 01 3955 BELLEVIEW LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use of sovereign land in Lake Tahoe, adjacent to 3955 Belleview Avenue, near Homewood, Placer County; for use, maintenance, and repair of an existing pier, construction of a pier extension, installation of a boat lift, use and maintenance of one mooring buoy, and removal of one mooring buoy. CEQA Consideration: categorical exemptions. (Lease 4162; RA# 11317) (A 1; S 1) (Staff: A. Franzoia)
- 02 5th GEN BP LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land in Lake Tahoe, adjacent to 7380 North Lake Boulevard, near Tahoe Vista, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8978; A3424; RA# 2021356) (A 1; S 1) (Staff: L. Ward)
- 03 DAVID M. ADAMS AND COURTNEY ADAMS, CO-TRUSTEES OF THE DAVID ADAMS FAMILY REVOCABLE TRUST; AND MICHAEL W. ADAMS AND SUE E. ADAMS, CO-TRUSTEES OF THE MICHAEL W. AND SUE E. ADAMS REVOCABLE TRUST OF 2002 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 640 Olympic Drive, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8658; A3416; RA# 2021174) (A 1; S 1) (Staff: E. Harley)
- 04 TONYA A. ANTLE, TRUSTEE OF THE ANTONIA ATHENA ANTLE TRUST, DATED MAY 10, 2019, MICHAEL D. CLING AND MARY JEAN CLING (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8833 Winston Way, near Rubicon Bay, El Dorado County; for an existing

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- pier with boat lift and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8471; A3333; RA# 2021108) (A 5; S 1) (Staff: L. Anderson)
- 05 JAMES PATRICK BAKER AND ELIZABETH R. BAKER, AS TRUSTEES OF THE JAMES PATRICK BAKER AND ELIZABETH R. BAKER FAMILY TRUST U/A/D SEPTEMBER 16, 2010, AS AMENDED (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8797 Rubicon Drive, near Tahoma, El Dorado County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 3094; A3678; RA# 2021376) (A 5; S 1) (Staff: E. Harley)
- 06 DAVID C. BANKS AND JUDITH A. BLASKI-BANKS, TRUSTEES OF THE BANKS FAMILY LIVING TRUST, DATED JANUARY 20, 2000 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8323 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for an existing pier with stairs and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8005; A3460; RA# 2021193) (A 5; S 1) (Staff: E. Harley)
- 07 DONNA L. BENNER, TRUSTEE OF THE RAMSEIER-BENNER FAMILY TRUST U/D/T, DATED FEBRUARY 2, 1990 (LESSEE): Consider application for a General Lease - Recreational Use of sovereign land located in Lake Tahoe, adjacent to 5310 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 2457; A3576; RA# 2021330) (A 1; S 1) (Staff: J. Plovnick)
- 08 AMY BOGART AND HALEY BOGART (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4676 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 3550; A3600; RA# 2021307) (A 1; S 1) (Staff: J. Plovnick)
- 09 JOSEPH W. BRONZINI AND LESLIE C. BRONZINI; TERREN LYNN POWELL; ROBERT REID WULFF AND VIRGINIA M. WULFF,

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- TRUSTEES OF THE WULFF FAMILY TRUST DATED JUNE 30, 2000; AND RICHARD COOPER WULFF (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6828 and 6834 West Lake Boulevard, near Tahoma, Placer County; for an existing joint-use pier and four mooring buoys. CEQA Consideration: categorical exemption. (Lease 2260; A3452; RA# 2021237) (A 1; S 1) (Staff: J. Plovnick)
- 10 BUTTE CREEK FARMS (LESSEE): Consider revision of rent to Lease Number PRC 3933, a General Lease - Commercial Use, of sovereign land located in the Sacramento River, adjacent to 3249 Butte Slough Road, near Colusa, Colusa County; for a commercial marina. CEQA Consideration: not a project. (PRC 3933) (A 3; S 4) (Staff: V. Caldwell)
- 11 CONDEROSA, LLC (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4780 West Lake Boulevard, near Homewood, Placer County; for three existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 6105; A3668; RA# 2021367) (A 1; S 1) (Staff: E. Harley)
- 12 ANTONY C. EVANS AND CAROL ROSS EVANS, TRUSTEES OF THE TONY AND CAROL EVANS 2000 REVOCABLE TRUST, ESTABLISHED APRIL 20, 2000 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8547 Meeks Bay Avenue, near Rubicon Bay, El Dorado County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8368; A3389; RA# 2021232) (A 1; S 1) (Staff: L. Ward)
- 13 KEVIN J. FINN, AS TRUSTEE OF THE FINN IRREVOCABLE PROPERTY TRUST, DATED JANUARY 27, 2021 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7402 North Lake Boulevard, near Tahoe Vista, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8964; A3536; RA# 2021280) (A 1; S 1) (Staff: L. Anderson)

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- 14 MARK S. GAINNEY, TRUSTEE OF THE MARK S. GAINNEY REVOCABLE TRUST UA 10/17/2006 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2940 Lake Terrance Avenue, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 9014; A3393; RA# 2021142) (A 1; S 1) (Staff: L. Anderson)
- 15 LAURA ROSCH GILLETTE AND THOMAS LEE ROSCH (LESSEE); 3340 EDGEWATER LAKE TAHOE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; AND 39LA120LO LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (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 3340 Edgewater Drive, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 7910; A3418; RA# 2021171) (A 1; S 1) (Staff: J. Holt)
- 16 GORDON PROPERTIES, L.P., A CALIFORNIA LIMITED PARTNERSHIP (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4550 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8448; A3493; RA# 2021347) (A 1; S 1) (Staff: S. Avila)
- 17 JASON HILL AND ELIZABETH HILL, TRUSTEES OF THE JASON AND ELIZABETH HILL FAMILY TRUST, DATED NOVEMBER 1, 2006; JONATHAN M. HILL, TRUSTEE OF THE JONATHAN HILL TRUST, DATED JUNE 18, 2015 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5672 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boathouse, sundeck with stairs, two boat lifts, two mooring buoys, and a swim float. CEQA Consideration: categorical exemption. (Lease 4871; A3195; RA# 2021035) (A 1; S 1) (Staff: L. Anderson)
- 18 LOREN A. JENSEN AND MELISSAH A. JENSEN, OR THEIR SUCCESSOR(S), AS TRUSTEES OF THE LOREN AND MELISSAH JENSEN 2013 FAMILY TRUST, DATED MARCH 6, 2013; DORIS A. JENSEN, TRUSTEE OF THE ELBERT A. JENSEN BYPASS

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- TRUST; BIRNEY ALAN JENSEN; ALICE WINNIFRED CROFT; JANICE LEE JENSEN; WAYNE ANDERS JENSEN; WARREN BOOMER JENSEN; MARNA JUNE JAVETTE; AND RONALD A. UBALDI AND ESTHER UBALDI, TRUSTEES OF THE UBALDI LIVING TRUST, DATED JULY 19, 1993, AND RESTATED AUGUST 7, 2008 (LESSEE); RONALD A. UBALDI AND ESTHER UBALDI, TRUSTEES OF THE UBALDI LIVING TRUST, DATED JULY 19, 1993, AND RESTATED AUGUST 7, 2008; AND CHAD HERRIN AND JESSICA HERRIN AS TRUSTEES, OR ANY SUCCESSOR TRUSTEE, OF THE HERRIN FAMILY TRUST U/A/D DECEMBER 2, 2008 (APPLICANT): Consider termination of Lease Number PRC 5611.1, a General Lease - Recreational Use and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1090 and 1130 West Lake Boulevard, near Tahoe City, Placer County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (Lease 5611; A3641; RA# 2021353) (A 1; S 1) (Staff: J. Plovnick)
- 19 BETTY L. LANGSTON, TRUSTEE OF THE LANGSTON FAMILY TRUST OF 1990 UNDER DECLARATION OF TRUST DATED SEPTEMBER 28, 1990, AS AMENDED AND RESTATED (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8501 and 8503 Meeks Bay Avenue, near Rubicon Bay, El Dorado County; for an existing pier, boat hoist, and three mooring buoys. CEQA Consideration: categorical exemption. (Lease 5558; A3504; RA# 2021223) (A 5; S 1) (Staff: J. Plovnick)
- 20 CHARLES B. MOLLETT, CASEY ALLAN HARSH, BRENT HUNTER HARSH, TROY EDWARD HARSH, DANIELLE LOUISE HARSH STIRITZ, ANTOINETTE HARSH, AND MICHAEL G. MOLLETT (LESSEE); 56 MOANA LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider termination of Lease 9073, a General Lease - Recreational Use, and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 56 Moana Circle, near Tahoma, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 9073; A3319; RA# 2021101) (A 1; S 1) (Staff: J. Holt)
- 21 NESSEBAR HOLDINGS II LLC (LESSEE); NESSEBAR HOLDINGS II LLC AND NESSEBAR HOLDINGS LLC (APPLICANT): Consider acceptance of a lease quitclaim deed and application for a General Lease - Recreational Use, of sovereign

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- land located in Lake Tahoe, adjacent to 4950 and 4960 North Lake Boulevard, Carnelian Bay, Placer County; for construction of a joint-use pier and catwalk; installation of a boat lift; removal of one existing mooring buoy; and use and maintenance of three existing mooring buoys. CEQA Consideration: categorical exemptions. (Lease 8440; A3621; RA# 2021321) (A 1; S 1) (Staff: J. Holt)
- 22 GEOFFREY DAVID RALSTON AND ANDREA GAYLE RALSTON, TRUSTEES OF THE RALSTON FAMILY TRUST U/D/T DATED JANUARY 16, 1998 (APPLICANT): Consider application for a General Lease - Recreational Use of sovereign land located in Lake Tahoe, adjacent to 1560 North Lake Boulevard, near Tahoe City, Placer County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A3502; RA# 2021221) (A 1; S 1) (Staff: J. Plovnick)
- 23 RAVENHILL PROPERTIES, LP (LESSEE); NIKHIL KASINADHUNI AND MADHURA KASINADHUNI (APPLICANT): Consider termination of Lease Number PRC 5134, a General Lease - Recreational Use and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3107 Jameson Beach Road, near South Lake Tahoe, El Dorado County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 5134; A3667; RA# 2021364) (A 5; S 1) (Staff: J. Plovnick)
- 24 J. ROBERT TAYLOR AND DONNA C. TAYLOR, CO-TRUSTEES OF THE 2005 TAYLOR FAMILY TRUST DATED JANUARY 5, 2005; MICHAEL ROBERT TAYLOR; BRET MATTHEW TAYLOR; JAIME TAYLOR LACHANCE (LESSEE); JAY NORMAN SIMONS AND MONIQUE SHEREEN SIMONS, TRUSTEES OF THE SIMONS FAMILY TRUST DATED DECEMBER 5, 2013 (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 636 Olympic Drive, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8554; A3705; RA#2022008) (A 1; S 1) (Staff: E. Harley)
- 25 DENIZ TUNCER, AS TRUSTEE, OR ANY SUCCESSOR TRUSTEE(S), OF THE CRESSMAN/TUNCER FAMILY TRUST, UNDER DECLARATION

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- OF TRUST DATED JANUARY 25, 2006; AND AYSHE TUNCER, AS TRUSTEE, OR ANY SUCCESSOR TRUSTEE(S), OF THE TUNCER ANDERSON REVOCABLE TRUST, UNDER DECLARATION OF TRUST DATED MAY 20, 2011 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3170 Edgewater Drive, near Dollar Point, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8979; A3630; RA# 2021337) (A 1; S 1) (Staff: L. Anderson)
- 26 UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in Lake Tahoe, adjacent to #1 Valhalla Road, near South Lake Tahoe, El Dorado County; for an existing pier. CEQA Consideration: categorical exemption. (Lease 4678; A2476; RA# 2020474) (A 5; S 1) (Staff: J. Toy)
- Bay/Delta Region
- 27 RICHARD A. BUCKO AND JUANITA L. BUCKO (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 11864 Washington Avenue, near Courtland, Sacramento County; for an existing boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 8064; A3485; RA# 2021206) (A 9; S 3) (Staff: J. Holt)
- 28 CENTRAL VALLEY FLOOD PROTECTION BOARD (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land in the Sacramento River, adjacent to 1000 Rio Lane, Sacramento, Sacramento County; for construction, use, and maintenance of bank protection. CEQA Consideration: Environmental Impact Report (EIR) and Supplemental EIR, certified by the Central Valley Flood Protection Board, State Clearinghouse No. 2005072046 and 2020070269, respectively, and adoption of a Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (Lease 7203; RA# 2021197) (A 9; S 6) (Staff: M. Schroeder)
- 29 CITY OF DALY CITY, DEPARTMENT OF WATER AND WASTEWATER RESOURCES (APPLICANT): Consider termination of Lease

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- 1364, a General Lease - Right-of Way Use; and an application for a General Lease - Public Agency Use, of sovereign tide and submerged land located in the Pacific Ocean, adjacent to Fort Funston, near San Francisco, City and County of San Francisco; for the repair of an existing sewer outfall pipeline with diffusers; for the removal of abandoned concrete pipeline support structures; for the installation of a temporary sheet pile cofferdam; and for temporary access during construction. CEQA Consideration: Environmental Impact Report/Statement, certified by the City of Daly City, State Clearinghouse No. 2013032001, and adoption of a Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (Lease 1364; A2716; RA# 2020289) (A 19; S 11) (Staff: A. Franzoia)
- 30 CITY OF SACRAMENTO (APPLICANT/SUBLESSOR); DROWNING ACCIDENT RESCUE TEAM, INC., A CALIFORNIA DOMESTIC NONPROFIT CORPORATION (SUBLESSEE): Consider application for a General Lease - Public Agency Use, and endorsement of a sublease under Lease 4964, of sovereign land located in the Sacramento River, adjacent to 1601 Garden Highway, near Sacramento, Sacramento County; for an existing concrete deck over a wood-framed and pile-supported dock, building, boat dock, gangway, and two wing walls. CEQA Consideration: categorical exemption. (Lease 4964; P4964; RA# 23614) (A 7; S 6) (Staff: G. Asimakopoulos)
- 31 COUNTY OF SAN JOAQUIN (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Middle River, adjacent to Howard Road, near French Camp, San Joaquin County; for an existing bridge. CEQA Consideration: categorical exemption. (Lease 3990; A3248; RA# 2021063) (A 13; S 5) (Staff: J. Holt)
- 32 COUNTY OF SAN JOAQUIN AND COUNTY OF SACRAMENTO (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Mokelumne River, adjacent to New Hope Road, near Thornton, San Joaquin and Sacramento Counties; for an existing bridge. CEQA Consideration: categorical exemption. (Lease 4238; A3249; RA# 2021047) (A 13; S 5) (Staff: J. Holt)

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- 33 MICHAEL A. DI GRAZIA, AS TRUSTEE OF THE MICHAEL A. DI GRAZIA REVOCABLE TRUST CREATED ON JULY 19, 2006 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 937 Piedmont Drive, Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 4164; A3202; RA# 2021011) (A 7; S 6) (Staff: S. Avila)
- 34 DIXON BOAT AND FISHING CLUB, INC. (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Cache Slough, adjacent to 7504 Bartlett Road, near Dixon, Solano County; for two existing boat docks and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 4913; A3451; RA# 2021241) (A 4; S 3) (Staff: L. Anderson)
- 35 MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land in Corte Madera Creek from the College Avenue Bridge, near Kentfield, to the Bon Air Bridge, near Larkspur, Marin County; for an existing flood control channel and appurtenances, and for the construction of additional flood control improvements. CEQA Consideration: categorical exemption; Environmental Impact Report, certified by the Marin County Flood Control and Water Conservation District, State Clearinghouse No. 2020080353, and adoption of a Mitigation Monitoring Program and Statement of Findings. (Lease 3926; A3213; RA# 2021124) (A 10; S 2) (Staff: A. Franzoia)
- 36 PACK SERIES C, LP, A DELAWARE LIMITED PARTNERSHIP (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the historic bed of the San Joaquin River, adjacent to 2013 Cove Court, Atherton Cove, San Joaquin County; for an existing boat dock with boat lift, appurtenant facilities, deck, bulkhead with fill, and bank protection. CEQA Consideration: categorical exemption. (Lease 7110; A3637; RA# 2021343) (A 13; S 5) (Staff: S. Avila)

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- 37 PHILIP RODONI (LESSEE): Consider amendment of Lease Number 9671, a General Lease - Recreational Use, of sovereign land located in Tomales Bay, adjacent to Teacher Beach, near Inverness, and 19225 State Route 1, near Marshall, Marin County; for addition of a proposed mooring buoy and extension of lease term. CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (Lease 9671; A3230; RA# 2021038) (A 10; S 2) (Staff: J. Plovnick)
- 38 RONALD R. ROTT, TRUSTEE OF THE RONALD R. ROTT FAMILY TRUST DATED JULY 28, 2009 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 4145 Garden Highway, in Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 6088; A3438; RA# 2021213) (A 7; S 6) (Staff: K. Buchan)
- 39 FRANK G. STATHOS (LESSEE); NICHOLAS STREET AND NANCY PHENG STREET, TRUSTEES OF THE STREET FAMILY TRUST, DATED OCTOBER 1, 2020 (APPLICANT): Consider voiding Invoice Number 53057; termination of Lease Number PRC 8534, a General Lease - Recreational and Protective Structure Use; and application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 961 Piedmont Drive, near Sacramento, Sacramento County; for an existing boathouse with appurtenant facilities and bank protection previously authorized by the Commission; and two personal watercraft landings not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 8534; A3221; RA#2021040) (A 9; S 6) (Staff: J. Toy)
- 40 TESORO REFINING AND MARKETING COMPANY LLC (LESSEE): Consider acceptance of a partial lease quitclaim deed and amendment of Lease Number PRC 3454, a General Lease - Industrial Use, of sovereign land in the Carquinez Strait, near the city of Martinez, Contra Costa County; to authorize the transfer of renewable fuels and feedstocks; to install electrical heat tracing and insulation on a pipeline and reconfigure

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- pipes and hoses for transfer of renewable feedstocks and renewable fuels; and, modify the lease area. CEQA Consideration: Environmental Impact Report, certified by Contra Costa County, State Clearinghouse No. 2021020289, and adoption of a Mitigation Monitoring Program and Statement of Findings. (PRC 3454; RA# 2020359) (A 14; S 7) (Staff: M. Schroeder)
- 41 TESORO REFINING AND MARKETING COMPANY LLC (LESSEE): Consider amendment of Lease Number PRC 3453, a General Lease - Industrial Use, of sovereign land in the Carquinez Strait and Pacheco Creek, in and near the city of Martinez, Contra Costa County; for installation of a fender on the marine oil terminal wharf and to expand authorized uses to include transfer of renewable fuels and feedstocks. CEQA Consideration: Environmental Impact Report, certified by Contra Costa County, State Clearinghouse No. 2021020289, and adoption of a Mitigation Monitoring Program and Statement of Findings. (PRC 3453; RA# 2020360) (A 14; S 3) (Staff: M. Schroeder)

Central/Southern Region

- 42 RALPH ASCHER AND MARIETTA ASCHER (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16232 Piedmont Circle, Huntington Beach, Orange County; for an existing boat dock and access ramp. CEQA Consideration: categorical exemption. (Lease 7423; A3379; RA# 2021231) (A 72; S 34) (Staff: J. Plovnick)
- 43 CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located on Owens Lake, Inyo County; for the collection of hydraulic monitoring data and continued maintenance of existing groundwater wells, piezometers, and flumes. CEQA Consideration: categorical exemption. (Lease 9597; RA# 2021366) (A 26; S 8) (Staff: D. Simpkin)
- 44 ALICIA DOSE (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Midway Channel of Huntington Harbour, adjacent to 3242 Gilbert Drive, Huntington Beach, Orange County; for an existing boat dock and access

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- ramp. CEQA Consideration: categorical exemption.
(Lease 3250; A3582; RA# 2021293) (A 72; S 34) (Staff:
L. Anderson)
- 45 EXXON MOBIL CORPORATION (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in the Pacific Ocean, near El Capitan State Beach, Santa Barbara County; for an existing water pipeline, an oil emulsion pipeline, and three power cables serving federal platforms Hondo, Harmony, and Heritage. CEQA Consideration: categorical exemption. (Lease 7163; RA# 2021079) (A 37; S 19) (Staff: D. Simpkin)
- 46 MICHAEL V. HAMMILL AND KIM E. HAMMILL (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River adjacent to 1130 Beach Drive, Needles, San Bernardino County; for existing concrete stairs, rock walls, concrete patio, retaining wall, and riprap bankline protection. CEQA Consideration: categorical exemption. (Lease 9060; RA# 2021311) (A 33; S 16) (Staff: K. Connor)
- 47 YOUNG HWAN LEE AND SHAWN S. AHN-LEE, AS TRUSTEES OF THE YOUNG HWAN LEE AND SHAWN S. AHN-LEE 2007 REVOCABLE TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16811 Bolero Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: categorical exemption. (Lease 4096; A3556; RA# 2021279) (A 72; S 34) (Staff: L. Anderson)
- 48 WARREN I. MITCHELL AND NANICE LEE MITCHELL (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16921 Bolero Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: categorical exemption. (Lease 3573; A3398; RA# 2021143) (A 72; S 34) (Staff: J. Plovnick)
- 49 PACIFIC GAS AND ELECTRIC COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of

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sovereign land located 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: G. Asimakopoulos)

- 50 PACIFIC OFFSHORE PIPELINE COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in the Pacific Ocean, near El Capitan State Beach, Santa Barbara County; for an existing gas pipeline. CEQA Consideration: categorical exemption. (Lease 4977; RA# 2021077) (A 37; S 19) (Staff: D. Simpkin)

School Lands

- 51 IMPERIAL IRRIGATION DISTRICT (LESSEE): Consider revision of rent to Lease Number PRC 7188, a General Lease - Right-of-Way Use, of State indemnity school and lieu land located in a portion of Section 30 and Section 36, Township 9 South, Range 13 East, SBM, near Mecca, Imperial and Riverside Counties; for an overhead electrical transmission line. CEQA Consideration: not a project. (PRC 7188) (A 56; S 28) (Staff: V. Caldwell)

- 52 INDIAN WELLS VALLEY GROUNDWATER AUTHORITY (APPLICANT): Consider application for a General Lease - Public Agency Use, of State-owned school land, located in a portion of Section 16, T24S, R38E, MDM, near Highway 395 and Pearsonville, Inyo County; for four existing groundwater monitoring wells. CEQA Consideration: categorical exemption. (A3615; RA# 2021346) (A 26; S 8) (Staff: D. Simpkin)

Mineral Resources Management

- 53 CITY OF LONG BEACH (GRANTEE): Consider acceptance of the Final Report and Closing Statement for 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)

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- 54 FUGRO USA MARINE, INCORPORATED (APPLICANT): Consider application for a General Offshore Geophysical Survey Permit to conduct geophysical surveys on granted and ungranted tide and submerged lands statewide, from the mean high tide line to 3 miles offshore. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, State Clearinghouse No. 2013072021. (A3734; RA# 2022074) (A & S: Statewide) (Staff: C. Fox)
- 55 U.S. BORAX INC. (LESSEE): Consider an amendment to increase the performance bond, reduce the lease area by 124.26 acres, and to acknowledge a partial Quitclaim Deed, for Mineral Extraction Lease 5464 for minerals, other than oil, gas, or geothermal resources; approximately 15,543 acres of State sovereign land, Townships 17 South and 18 South, Range 37 East, Mount Diablo Baseline & Meridian, located on the dry lakebed of Owens Lake, along the east side of U.S. Highway 395, approximately 10 miles south of the town of Lone Pine, Inyo County. CEQA Consideration: not a project. (A3708; Lease 5464; RA# 2022044) (A 26; S 8) (Staff: D. Dillon, V. Perez)

Marine Environmental Protection

- No items for this section

Administration

- 56 CALIFORNIA STATE LANDS COMMISSION; UNIVERSITY OF CALIFORNIA, SAN DIEGO (PARTIES): Consider granting authority to the Executive Officer to enter into an agreement with the University of California, San Diego, to procure the services of two science policy fellows through the California Sea Grant State Fellows Program. CEQA Consideration: not a project. (A & S: Statewide) (Staff: J. Mattox, N. Dobroski)

Legal

- See Regular Calendar

Kapiloff Land Bank Trust Acquisition/Expenditure

- No items for this section

External Affairs

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Granted Lands

- 57 THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH THE SAN FRANCISCO PORT COMMISSION; THE CITY AND COUNTY OF SAN FRANCISCO, A CHARTER CITY AND MUNICIPAL CORPORATION; CALIFORNIA STATE LANDS COMMISSION; MURRAY G. COLE AND DORIS M. COLE, TRUSTEES OF THE 2006 MURRAY G. AND DORIS M. COLE REVOCABLE TRUST DATED AUGUST 1, 2006 (PARTIES): Consider a Land Exchange and Title Settlement Agreement, acceptance of a Kapiloff Land Bank Fund Deposit, and findings pursuant to Chapter 660, Statutes of 2007, related to parcels located adjacent to Islais Creek, in the city and county of San Francisco. CEQA Consideration: statutory exemptions. (G 11-01; AD 692) (A 17; S 11) (Staff: R. Boggiano, A. Kershen)
- 58 CITY OF PITTSBURG (GRANTEE): Consider an amendment to a General Lease-Industrial Use, by the City of Pittsburg, pursuant to Chapter 422, Statutes of 2011, minerals reserved to the State, for approximately 14 acres of legislatively granted Public Trust Lands located in New York Slough, in the City of Pittsburg, Contra Costa County. CEQA Consideration: categorical exemption. (G 02-03) (A 14; S 7) (Staff: M. Moser, R. Boggiano)
- VI Informational Calendar 59
- 59 CALIFORNIA STATE LANDS COMMISSION: Informational update on state legislation relevant to the California State Lands Commission. CEQA consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton)
- VII Regular Calendar 60-63
- 60 SAN DIEGO UNIFIED PORT DISTRICT; CALIFORNIA STATE LANDS COMMISSION: Consider approval of findings pursuant to Public Resources Code section 6702, subdivision (b) regarding an Intergovernmental Support Agreement between the San Diego Unified Port District and the Navy allowing participation in the Low Carbon Fuel Standard (LCFS) incentive

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	based program; and consider approval of trust revenues generated from the LCFS program to be expended on improvement projects located within Naval Base San Diego, adjacent to the Port's statutorily granted Public Trust Lands, located in the City of San Diego, San Diego County. CEQA consideration: not a project. (G 10-08) (A 78; S 39) (Staff: R. Boggiano, B. Johnson)	34
61	CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Briefing on geothermal and lithium resources on lands managed by the Commission. CEQA Consideration: not a project. (A & S: Statewide) (Staff: R. Lee, D. Dillon, M. Wells, M. Liebergesell)	43
62	CALIFORNIA STATE LANDS COMMISSION; CALIFORNIA COASTAL COMMISSION; CALIFORNIA STATE COASTAL CONSERVANCY; AND CALIFORNIA DEPARTMENT OF PARKS AND RECREATION (PARTIES): Consider a Memorandum of Agreement Regarding the Interagency Coordinated Review and Preparation of Environmental Review Documents for the Hollister Ranch Coastal Access Program located in Santa Barbara County, between the Commission, the Coastal Commission, Coastal Conservancy, and Department of Parks and Recreation. CEQA Consideration: not a project. (503.2117) (A 37; S 19) (Staff: L. Calvo)	65
63	NOTICE OF CONFERENCE WITH REAL PROPERTY NEGOTIATOR: Instructions to staff negotiators in Closed Session, pursuant to Government Code section 11126(c)(7), regarding entering into a lease amendment or other agreement for the extended use of the infrastructure associated with, and necessary for, the continued operation of the Diablo Canyon Power Plant, San Luis Obispo County. Negotiating Parties: State Lands Commission and Pacific Gas and Electric Company. Under negotiation: price and terms. CEQA Consideration: not a project. (Lease 9347; A3817) (A 35; S 17)	74
VIII	Public Comment	76
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X Closed Session

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

A. Litigation

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

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

- California State Lands Commission v. Signal Hill Service, Inc.; Pacific Operators, Inc., dba Pacific Operators Offshore, Inc.; DOES 1-100
- California State Lands Commission, et al. v. Martins Beach 1 LLC, et al.
- Candlestick Heights Community Alliance City and County of San Francisco, et al.
- City and County of San Francisco; India Basin Investment, LLC v. State of California; South San Francisco Dock Co.; et al.
- Eugene Davis v. State of California and California State Lands Commission
- Ingrid Barot v. TOPCO, State of California, et al.

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- In re: Temblor Petroleum Company, LLC, Bankruptcy Chapter 11
 - In re: Venoco, LLC, Bankruptcy Chapter 11
 - In re: EHT US1, Inc. et al.
 - Martins Beach 1, LLC and Martins Beach 2, LLC v. Effie Turnbull-Sanders, et al.
 - Oakland Bulk and Oversized Terminal, LLC v. City of Oakland
 - Owens Valley Committee v. City of Los Angeles, Los Angeles Department of Water and Power, et al.
 - San Joaquin River Exchange Contractors Water Authority v. State of California; State Lands Commission
 - State of California v. International Boundary and Water Commission, et al.
 - State Lands Commission v. Plains Pipeline, L.P., et al.
 - United States v. Walker River Irrigation District, et al.
 - White v. California State Lands Commission; California Public Works Board
 - Whitred Holdings, LLC v. The McConnel Foundation; California State Lands Commission (as cross defendant)
2. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(b), under which;
- a. A point has been reached where, in the opinion of the Commission, on the advice of its legal counsel, based on existing

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facts and circumstances, there is a significant exposure to litigation against the Commission, or

b. Based on existing facts and circumstances, the Commission is meeting only to decide whether a closed session is authorized because of a significant exposure to litigation against the Commission.

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

B. Conference with real property negotiators

The Commission may consider matters that fall under Government Code section 11126, subdivision (c)(7), under which, prior to the purchase sale, exchange, or lease of real property by or for the Commission, the directions may be given to its negotiators regarding price and terms of payment for the purchase, sale, exchange, or lease.

1. Provide instructions to staff negotiators regarding entering into a lease amendment or other agreement for the extended use of the infrastructure associated with, and necessary for, the continued operation of the Diablo Canyon Power Plant, San Luis Obispo County. Negotiating Parties: State Lands Commission and Pacific Gas and Electric Company. Under negotiation: price and terms.

C. Other matters

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

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PROCEEDINGS

1
2 CHAIRPERSON YEE: Good afternoon. I call this
3 meeting of the State Lands Commission to order. I am
4 State Controller Betty Yee. Welcome to our completely
5 virtual State Lands Commission meeting.

6 Ms. Lucchesi, will you please call the roll of
7 the Commissioners in attendance?

8 EXECUTIVE OFFICER LUCCHESI: Certainly.

9 Lieu -- Lieutenant Governor Eleni Kounalakis?

10 COMMISSIONER KOUNALAKIS: Present.

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

13 ACTING COMMISSIONER MILLER: Here.

14 EXECUTIVE OFFICER LUCCHESI: Chair and State
15 Controller Betty Yee?

16 CHAIRPERSON YEE: Here.

17 EXECUTIVE OFFICER LUCCHESI: Madam Chair, we have
18 a quorum present. In addition, I would like to identify
19 members of the staff of the Commission and the Attorney
20 General present for this virtual meeting. I am Executive
21 Officer Jennifer Lucchesi. I am joined by our Chief
22 Counsel, Seth Blackmon, our meeting liaison Kim Lunetta,
23 our Assistant Executive Officer, Colin Connor, our
24 Supervising Deputy Attorney General, Andrew Vogel, and our
25 Zoom co-hosts Katie Robinson-Filipp, Mike Farinha, and

1 Phil Schlatter. I'll turn it back to you, Chair Yee.

2 CHAIRPERSON YEE: Thank you very much, Ms.
3 Lucchesi. For the benefit of those joining us virtually,
4 The State Lands Commission manages State property
5 interests in over five million acres of land, including
6 mineral interests. The Commission also has responsibility
7 for the prevention of oil spills at marine oil terminals
8 and of marine invasive species -- and preventing the
9 introduction of marine invasive species into California's
10 marine waters. Today, we will hear requests and
11 presentations involving lands and resources within the
12 Commission's jurisdiction.

13 We recognize that the lands we manage have been
14 inhabited for thousands of years by California's native
15 people and take seriously our trust relationship with
16 these sovereign governments. I also want to take a moment
17 to honor the California Native American communities across
18 the entire state for persisting, carrying on diverse
19 cultural and linguistic traditions, and sustainably
20 managing the land that we now share. Native people have
21 maintained a constant presence on the landscape for many
22 thousands of years. And they are essential stewardship
23 partners whether along the coast, along our rivers and
24 valleys or in our fragile deserts. We thank California
25 Native American communities for participating in this

1 Commission's activities and for their essential role in
2 maintaining and adding to our state's rich, cultural
3 legacy.

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

12 Ms. Lucchesi.

13 EXECUTIVE OFFICER LUCCHESI: Thank you, Chair
14 Yee. First everyone please make sure you have your
15 microphones or phones muted to avoid any background noise.
16 For members of the public, if you would like to speak
17 either during our public -- open public comment period or
18 during a public comment period that is part of an agenda
19 item, please complete an electronic request to speak form
20 available on our website. We will call on you in the
21 order in which you submitted the request to speak. And to
22 help us call on you through Zoom, please raise your hand
23 during the appropriate comment section, one of two ways.

24 First, if you're attending on the Zoom platform,
25 please raise your hand in Zoom. If you are new to Zoom

1 and joined our meeting using the Zoom application, you can
2 click on the hand icon at the bottom of your screen. When
3 you click on that hand, it will raise your hand. Second,
4 if you are joining our meeting by phone, you must press
5 star nine on your keypad to raise your hand to make a
6 comment.

7 If you are calling in and want to view the
8 meeting, including the PowerPoint presentations, please
9 view the meeting through the CAL-SPAN live webcast link.
10 There will be a slight time delay, but it will avoid an
11 echo or feedback from using the applicate -- the Zoom
12 application and your phone. We will call individual on
13 individuals who have raised their hands in the order that
14 they are raised using the name they registered with or the
15 last three digits of their identifying phone number.
16 After you are called on, you will be unmuted so you can
17 share your comments. Please also remember to unmute your
18 computer or phone and identify yourself. Remember, you
19 have a limit of three minutes to speak on an item. Please
20 keep your comments respectful and focused. We will mute
21 anyone who fails to follow these guidelines or at worst
22 dismiss them from the meeting.

23 Finally, every now and then, you will -- you may
24 hear me refer to our meeting host. Our Commission staff
25 are acting as hosts for the meeting behind the scenes to

1 ensure that the technology moves the meeting forward
2 smoothly and consistently. The Commission has also
3 established an email address to compile public comments
4 for our meeting. Its address is
5 cslc.commissionmeetings@slc.ca.gov. We have received
6 various emails from parties that have been shared with all
7 the commissioners prior to the meeting. If we receive any
8 emails during the meeting, they will be shared with the
9 commissioners and be made available on our website, along
10 with the public comment emails we have already received.

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

14 CHAIRPERSON YEE: Thank you very much, Ms.
15 Lucchesi. So our next order of business is the public
16 comment period. If anyone wants to address the Commission
17 on any matter not on today's agenda, please raise your
18 hand and you will have three minutes to provide your
19 comments. I will now call on Katie and see if she will
20 identify the first person who would like to make a public
21 comment.

22 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
23 you, Madam Chair. For our first public commenter, we have
24 Robert Roy van de Hoek.

25 CHAIRPERSON YEE: Very well. Good afternoon, Mr.

1 van de Hoek.

2 MR. VAN DE HOEK: Can you hear me yet?

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

4 MR. VAN DE HOEK: Okay. Great. And should I
5 select the start video button too? I guess it does not
6 matter.

7 CHAIRPERSON YEE: Sure.

8 MR. VAN DE HOEK: Oh, there I am. Okay. So
9 calling from home and I recognize Jennifer and her
10 beautiful smile there. And we had a meeting with Jennifer
11 Lucchesi yesterday, several of us interested in the
12 Ballona Wetlands that the State of -- the State Lands
13 Commission owns there. And you are the lessor of -- of
14 about 60 acres there. And you have two lessees. You have
15 a Ballona Wetlands Conservancy as one lessee for the
16 freshwater marsh, which really should be considered not a
17 freshwater marsh anymore, because the water is saline. It
18 should be called a saltwater marsh, and you -- there are
19 all kinds of reports that have data showing it's salt
20 water.

21 The second lessee you have is the State of
22 California Department of Fish and Wildlife. And they are
23 proposing a project on your State Lands. And there's many
24 reasons for -- I think for the lease that you have with
25 the State Fish and Wildlife to be withdrawn. I think it's

1 time to cancel your lease with them and find a new lessee.
2 And the reasons for that are their disingenuous
3 misinformation and disinformation that they're sharing
4 about endangered species and about marine invasive plant
5 species there. For example, the -- there's two rare
6 songbirds, the Belding's Savannah Sparrow State
7 endangered, and the Least Bell's Vireo, federally
8 endangered, that occur on your lands that you are the
9 lessor to that State agency.

10 And they've been trying to hide that these
11 endangered species are there. They have denied it. And
12 now that they are starting to admit it, that the Least
13 Bell's Vireo is there, they're trying to -- to let play
14 down. And if the land is not bulldozed or changed and you
15 don't do the sequencing effort that they're trying to do
16 end-run around the United States there, so they're also --
17 that's another reason to cancel them as a lessee is
18 because they're not being honest and forthright with the
19 U.S. Army and also Los Angeles County.

20 There's a big risk, if you do any bulldozing
21 there to that endangered species. Also, they want to
22 bring back a plant called cordgrass, which is an invasive
23 species, and there's a native invasive and there's a
24 non-native invasive. And they often get tangled up
25 together and can't be differentiated, and there was

1 historical cordgrass there and the existing cattails and
2 tules are what the Ridgway's Rail, it's a federally
3 endangered bird, that we now know by science uses
4 freshwater habitat really well.

5 And so lots more on why you should, I think,
6 cancel both leases as the lessor and find a new -- find
7 lessees and start the process in doing that. I'd like to
8 make that an official request.

9 Thank you.

10 CHAIRPERSON YEE: Thank you very much, Mr. van de
11 Hoek, for your comments.

12 MR. VAN DE HOEK: You're welcome.

13 CHAIRPERSON YEE: Katie, our next commenter.

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

16 CHAIRPERSON YEE: Good afternoon, Ms. Cumming.

17 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Ms.
18 Cumming, you may need to unmute yourself.

19 MS. CUMMING: Yes. Okay. Can you hear me now?

20 CHAIRPERSON YEE: Yes, we can.

21 MS. CUMMING: Oh, sorry.

22 CHAIRPERSON YEE: Good afternoon, Ms. Cumming.

23 MS. CUMMING: Good -- I'm sorry. I'm -- I'm a --
24 I am Susanne Cumming. I'm a lawyer and member of Defend
25 Ballona Wetlands. I'm in support of a gentle restoration

1 of the Ballona wetlands. California Department of Fish
2 and Wildlife are jump-starting a very unpopular,
3 destructive bulldozing project on the 60 acres owned by
4 you as you've heard from so many people. Underneath the
5 Ballona Wetlands adjoining the Playa Vista development,
6 which was formally a part of Ballona is a methane gas
7 storage facility. CDFW is asking for permits, so that
8 Southern California gas can update their facilities and
9 proceed with this awful project.

10 A little about the storage facility. The
11 California Council on Science and Technology study done
12 for the State Legislature told the Legislature that it's
13 the most dangerous gas storage operation in the state and
14 provides less than one percent of the total gas storage in
15 the state. There are methane sensors all over Playa
16 Vista. Many of the people living there don't know what
17 those little buttons are for. The cities of Culver City,
18 Santa Monica, and Los Angeles have all asked the Governor
19 to prioritize shutting the storage facility down. In the
20 future, it's likely to be shut down. But in the meantime,
21 there may be seven years of bulldozing and destruction.
22 And then what are we left with? A destruction of a
23 precious wetland habitat and a closed methane gas storage
24 facility.

25 Who wins here? Please help us. Thanks.

1 CHAIRPERSON YEE: Thank you, Ms. Cumming for your
2 comments.

3 Katie, our next speaker, please.

4 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Our
5 next speaker is Marcia Hanscom.

6 CHAIRPERSON YEE: Good afternoon, Ms. Hanscom.

7 MS. HANSCOM: Yes. Hello, Honorable
8 Commissioners. My name is Marcia Hanscom. I'm a
9 community organizer with Protect Ballona Wetlands and I do
10 want to thank Commission Chair Yee for asking the staff to
11 speak with us about some of the various legal documents
12 that your agency has signed related to the Ballona
13 Wetlands. And I want to thank the staff for meeting with
14 us and explaining them.

15 And I've -- really, I've just gone over, and
16 over, and over these documents, and I've got to say that I
17 don't agree -- as much as I love your staff, I just don't
18 agree with the interpretation of these documents. In
19 2005, you all signed a lease with California Department of
20 Fish and Wildlife. However, in 2008, three years after
21 that, your Executive Director at the time, Paul Thayer,
22 signed an MOU that said a couple of things, and I just
23 can't imagine that he would have signed this, if he didn't
24 believe them to be true.

25 One is the Department and to the -- the

1 Department, meaning Fish and Wildlife and to the extent
2 its lands, are proposed for restoration, SLC will have
3 final discretionary authority and approval of the project
4 with respect to their respective ownerships prepared for
5 the restoration planning and construction.

6 It also says that this MOU cannot be terminated
7 until there is not only certification of the Final EIR,
8 which has been done, but also project approvals from the
9 Department and the State Lands Commission. That to us
10 means that the State Lands Commission is required to hold
11 a public hearing and to have some sort of venue where you
12 would be approving or disapproving this project.

13 And as was mentioned, because the federal
14 agencies and the county have not agreed to do the bigger
15 project yet -- and they might not ever, who knows, but
16 they have not agreed to demolish the levees and do the
17 bigger project, now the project proponents are trying to
18 do an end-run around this. And they're coming directly to
19 your land, to the State Lands Commission land, to start
20 the project. And it's -- there are rare species. There
21 is fragile wetland area that is thriving there. There is
22 no need to alter it into the something else, and -- but
23 regardless, we do think you are required to have some sort
24 of a hearing and an approval process in order for this to
25 proceed.

1 Thank you.

2 CHAIRPERSON YEE: Thank you, Ms. Hanscom, for
3 your comments.

4 Katie, our next speaker, please.

5 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
6 you, Madam Chair. Our next speaker is Walter Lamb.

7 MR. LAMB: Good morning, commissioners. Sorry --
8 good afternoon. Walter Lamb representing the Ballona
9 Wetlands Land Trust. I spent all morning in the Ballona
10 Wetlands. It was a pleasure and a joy to help with a
11 field trip of about 50 to 60 kids.

12 If -- I think I've got a slip -- presentation
13 slide, so if that could come up. But look, I think that
14 you know what the documents say. I've got a couple slides
15 just so you can see what they are that can come up.

16 (Thereupon a slide presentation).

17 MR. LAMB: In 2018, you did some comments to the
18 draft EIR and you mentioned the 2008, right? So 10 years
19 later, you mentioned this MOU.

20 Next slide, please.

21 --o0o--

22 MR. LAMB: And the MOU -- this is just the title
23 page. If we could go to the next slide.

24 --o0o--

25 MR. LAMB: And I just want you to know that it

1 really is a document. There was a comment made last time
2 that, you know, is this information true or not true.
3 There's definitely an MOU. And it definitely says, you
4 know, two principal State agencies will cooperate with the
5 State Lands Commission on planning issues. It says all
6 the agencies involved will respect the right and
7 discretion of each agency's decision-making body. An
8 executive committee was supposed to meet every six months.

9 Go to the next slide, please.

10 --o0o--

11 MR. LAMB: In addition to the executive, I think
12 there's supposed to be a project management team with
13 staff that was also supposed to actively coordinate. And
14 then I think, you know, another speaker, Marcia, also
15 mentioned the final discretionary authority.

16 If we could go to the next slide, please.

17 --o0o--

18 MR. LAMB: I think -- so we're not asking you
19 to -- with all respect to other speakers like -- yet
20 again, I think everyone who takes the time to come speak,
21 I really appreciate that. I just want kind of wanted to
22 give you a much smaller ask than, you know, to -- to -- to
23 rip up the lease. There's nothing in the lease that
24 prevents you from at least trying to figure out what's
25 going on here, because the whole project is sunk. It's

1 one project. There's only ever been one project, right?
2 There's not -- this two sequence thing is just a new
3 invention.

4 And when that first letter I showed from 2018
5 said we want the project to move forward, you were talking
6 about the full thing, cause there was no sequence one and
7 two at that time. And if we can't even now get Fish and
8 Wildlife to tell us what the budget -- like where to go.

9 If we could have the next slide.

10 --o0o--

11 MR. LAMB: So they're trying to put this positive
12 spin on -- what's eventually going to come out is that
13 this thing is dead and CDFW is trying to get sister
14 agencies to help them hide the body and cover up the money
15 trail, which is unfortunate, because they've spent a lot
16 of money.

17 So where did the actual project go? They used to
18 talk about it. And now it's like -- I feel like it's
19 flight plan. You know, it's like we're getting gaslighted
20 that this thing never existed. And you can see that the
21 responses that your staff -- and by the way, thanks also
22 to your staff. I met with them separately. Really
23 appreciate that, but we just -- again, we don't -- it's
24 not that we don't agree. It's not a subjective
25 disagreement. If Fish and Wildlife thought this was a

1 good project, they would be asking you to put this on the
2 agenda so they could come boast to you about it. They
3 know it's a clunker. It's -- And that's why they don't
4 want to have this on your agenda.

5 So I would just ask, let's put aside what's
6 legally required, because we have a pretty good idea
7 what's legally required, but that may have to get resolved
8 somewhere else. What can you do, right? What can you do?
9 I have a document from 30 years ago that talks about State
10 Lands Commission involvement in the Ballona Wetlands, 30
11 years ago, right? So here we are, 30 years later. My job
12 is like to make sure my daughter isn't 40 and still coming
13 to meetings and having these same conversations.

14 So what can you do to help us get more and better
15 information? That's how I would frame the discussion
16 right now.

17 Thank you very much.

18 CHAIRPERSON YEE: Thank you for you

19 EXECUTIVE OFFICER LUCCHESI: Chair, Yee -- yeah.

20 CHAIRPERSON YEE: Got it. Thank -- thank you for
21 your comments, Mr. Lamb.

22 Katie, our next speaker, please.

23 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
24 you. Our next speaker is Christina.

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

1 CHAIRPERSON YEE: Yes, we can hear you.

2 MS. KU: Oh, okay. Great. Yeah. So I am an
3 attorney. I'm also an activist with the Ballona Wetlands
4 project. And what we've come to learn is that there's so
5 many private interests involved and agencies that are
6 pushing this -- you know, bulldozing project. We call it
7 bulldozing, because we've actually looked at the plan.
8 And they are literally picking up land, soil, foliage,
9 plants, animals, wildlife uprooted from where they are
10 now. That's why the word is appropriate. Literally,
11 bulldozing it and picking everything up and pushing it
12 aside.

13 So apparently. The proponents of this bulldozing
14 project, I mean, they are trying to fast track their
15 permits for a portion of the land which apparently I just
16 heard that you're all in control of, including all the 60
17 acres owned by the State Lands Commission. So I just
18 heard Ms. Hanscom state all that and it sounds very
19 logical. And we've seen documents that lit -- that prove
20 that. So she is absolutely right.

21 And I just heard Walter Lamb showing the
22 presentation. And we really need you folks to open up
23 your eyes, and ears, and hearts and look at the documents.
24 I've been involved in so many meetings. And it just does
25 not seem like any of the other agencies really know what's

1 going on. And it's frustrating and disheartening that
2 we're presenting facts. We've got ecologists. We've got
3 scientists, we've got activists, and long-time, you know,
4 people who've been involved in this issue present facts
5 over and over again, and we don't seem to get a response
6 from any of the agencies.

7 So, yes, I mean, the Army Corps of Engineers and
8 the county flood control, I mean, they're not approving
9 the creek levee demolition. And there's -- there are good
10 reasons for this, it's logical, scientific, geological
11 reasons. And I wish you folks would be the ones to really
12 look into this. And because of that, the proponents of
13 this project, they're just finding all different ways to
14 push this through. And ultimately, I've been personally
15 out there. I've seen SoCalGas out there. I've seen their
16 truck. I've seen their whatever instrument big structure
17 they have out there. And there was a movement to get them
18 out of nature, get them out of the -- this ecological
19 reserve that's saved for wildlife and for nature.

20 And, you know, they've been playing around,
21 taking things out, putting back in, putting signs up, huge
22 signs up, taking them down, putting structures up,
23 removing them. So there's something really sinister going
24 on and we hope you're the heroes of this game.

25 Thank you.

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

3 Katie, our next speaker, please.

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

6 CHAIRPERSON YEE: Good afternoon, Ms. Boken.

7 MS. BOKEN: Eileen Boken, Coalition for San
8 Francisco Neighborhoods following up the Coalition's
9 written comments submitted for this meeting, and submitted
10 for the August 23rd meeting. At the October 6th meeting
11 of the Ocean Protection Council, there was a discussion of
12 the 30x30 California. Accelerating conser -- conservation
13 of California's nature was the goal of conserving 30
14 percent of California's lands and coastal waters by 2030.
15 Appendix E of the pathways to 30x30 strategy is titled,
16 "Ocean Protection Council Science Needs for Advancing
17 30x30 in Coastal Waters".

18 Appendix E states that Marine Protected Areas,
19 also known as MPAs, are not the only way to achieve
20 conservation in coastal waters. Appendix E goes on to
21 State that the pathway to achieving 30x30 for the coast
22 and ocean will include 16 percent of the State waters
23 already protected by the State's MPA network and the
24 prioritized focus on strengthening biodiversity,
25 protections in national -- national marine sanctuaries,

1 which cover 40.6 percent of State waters.

2 Further, National Marine Sanctuaries are areas
3 that offer a natural place to focus on conservation
4 efforts and provide pathways for the State to meet or
5 exceed the 30x30 target. Partnership with the National
6 Marine Sanctuaries provides an opportunity to leverage the
7 federal government America the Beautiful initiative to
8 conserve 30 percent of U.S. lands and coastal waters by
9 2030.

10 For the past eight years, the Coalition for San
11 Francisco neighborhoods has been advocating for the
12 designation of a National Marine Sanctuary in the waters
13 off San Francisco's Ocean Beach. Both 30x30 California
14 and the America the Beautiful -- America the Beautiful
15 initiative seem to provide a framework for this effort,
16 the designation of a Golden Gate National Marine
17 Sanctuary.

18 Thank you.

19 CHAIRPERSON YEE: Thank you very much for your
20 comments, Ms. Boken.

21 Katie, our next speaker, please.

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

24 Our next speaker on the list is Brady Bradshaw.
25 I don't see him on the attendee list, so I'll ask if he's

1 attending under a different name to please raise his hand.
2 And then until then, I'll go down to Miyoko with the
3 Center of Biodiversity.

4 CHAIRPERSON YEE: Okay. Good afternoon, Miyoko.
5 Are you on the line?

6 MR. BRADSHAW: Hello. Can you hear me?

7 CHAIRPERSON YEE: Yes.

8 Oh well, this must be that I'm signed in under
9 Miyoko's.

10 CHAIRPERSON YEE: Okay.

11 MR. BRADSHAW: Brady Bradshaw.

12 CHAIRPERSON YEE: Okay. Mr. Bradshaw, why don't
13 you go ahead. We can hear you and we'll just note that
14 you are actually showing up as Miyoko from the Center for
15 Biological -- Biological Diversity -- Bio Diversity.

16 Excuse me. There you are.

17 MR. BRADSHAW: Sorry for that. Hello, Chair Yee
18 and commissioners. Thank you very for your time today.
19 My name is Brady Bradshaw representing the Center for
20 Biological Diversity. I'm calling from the ancestral
21 homelands of the Tongva and Chumash people's.

22 I'm addressing you to share our deep concern over
23 the continued oil and gas operations in State waters. As
24 you know, it's almost 30 years after the California
25 codified a ban on new leasing for offshore oil and gas,

1 but platforms continue to operate in State waters
2 threatening more spills like last year's disaster off
3 Huntington Beach that spilled at least 25,000 gallons into
4 the Pacific ocean.

5 There's good reason to expect more of this, if
6 operations continue. Much of the oil and gas
7 infrastructure off California has outlived its expected
8 lifespan. And it's beyond the age that scientists say
9 significantly increases the risk of spills and other
10 accidents. Just a few months after the Huntington Beach
11 disaster, the failure of DCOR's pipeline from Platform Eva
12 demonstrated this problem again, spilling oil and
13 threatening sensitive areas including Bolsa Chica
14 wetlands.

15 This aging infrastructure was installed off
16 Huntington Beach in 1963 and has persisted for nearly 60
17 years. And the likelihood of spills increases every year.
18 The bottom line, continued drilling means more spilling
19 and more climate pollution. California has seen enough
20 oiled beaches and dead wildlife and our coastal resources
21 are just too valuable to keep putting at risk. More than
22 half a million jobs in California, in tourism, fishing,
23 and recreation depend on a healthy and abundant ocean.
24 Sometimes all it takes is just one oil spill to shut down
25 a local business for good.

1 California's coastal waters are home to many
2 threatened and endangered species that need our protection
3 and they need a fair chance to recover, like the blue
4 whale, weight and black abalone, and California Least
5 Term -- Tern just to name a few of them. These species
6 rely on the coastal zone for critical life functions and
7 for survival. Speaking of critical life functions, all
8 humans need clean air and water and offshore platforms
9 feed into a toxic system of fossil fuel infrastructure
10 that threaten human health with toxic chemicals, including
11 carcinogens and endocrine disruptors.

12 For all of these reasons, the State Lands
13 Commission has the authority and has a duty to do what's
14 right. Please take bold action to terminate these
15 offshore leases in State waters immediately.

16 Thank you.

17 CHAIRPERSON YEE: Thank you, Mr. Bradshaw, for
18 your comments.

19 Katie, our next speaker, please.

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

22 MR. FINN: Good afternoon. This is --

23 CHAIRPERSON YEE: Good afternoon, Mr. Finn.

24 MR. FINN: Hi. Thank you for your services. I
25 represent the San Francisco Boardsailing Association. I'm

1 a former -- I was on the board of directors, but I've
2 retired from that responsibility, but I'm speaking on
3 behalf of the community of kiteboarders, windsurfers,
4 windboarder, fishermen, dog walkers, add anybody that
5 wants to visit Treasure Island. In 2014, the State Lands
6 Commission transferred a trust agreement for the
7 management of the Treasure Island Development Authority.
8 And I'm asking the State Lands Commission to enforce that
9 agreement that I believe they're breaching the trust
10 exchange agreement. The Treasure Island Mobility
11 Management Agency, which is really the San Francisco Board
12 of Supervisors, and the Treasure Island Development
13 Authority, again San Francisco Board of supervisors, they
14 have a plan which they haven't voted in yet to charge a
15 \$10 toll to get on or off the island.

16 Now, the transfer agreement from 2014 was
17 expressly to protect recreational access to the shoreline
18 and they're not doing that. They're looking for money
19 besides their excuse about traffic management, is they --
20 their agreement with the wealthy developers for Treasure
21 Island, they underfunded the ferry they want to provide
22 there. And there's no -- in their architectural proposed
23 draftings of any public transmit to get to the northeast
24 cove of the bay -- the northeast segment of the island,
25 which has been used for a heavy segment of recreational

1 use. And this includes junior sailors that go there and
2 young junior people playing soccer there on the soccer
3 fields.

4 And I know they're even in violation of the BCDC
5 agreement. And we're waiting for -- the BCDC told them
6 they need to come back with an application for that. They
7 did not include their plan to charge a toll to get off and
8 on the island just to go fishing there. It's bad enough -
9 well, myself as a senior citizen - to pay for either to go
10 over the Bay Bridge or the Golden Gate Bridge to get there
11 in the first place. And it shouldn't be turned into a
12 private gated enclave, so to speak, for the new wealthy
13 people buying the new condos being built there.

14 And that's what I have to say. And they're
15 planning on holding the Board of Supervisors to be
16 determined and that -- that's about all I have for you
17 today. Thank you for listening.

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

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

23 CHAIRPERSON YEE: Okay. Thank you very much. So
24 that concludes our public comment period. Let's move on
25 to our next item of business, which will be the adoption

1 of the minutes from the Commission's meeting of August
2 23rd, 2022. May I have a motion to approve the minutes
3 and a second?

4 COMMISSIONER KOUNALAKIS: So moved.

5 CHAIRPERSON YEE: Thank you. We have a motion by
6 Commissioner Kounalakis.

7 ACTING COMMISSIONER MILLER: Second.

8 CHAIRPERSON YEE: Seconded by Commissioner
9 Miller.

10 Ms. Lucchesi, will you please conduct a roll
11 call.

12 EXECUTIVE OFFICER LUCCHESI: Of course.
13 Commission Kounalakis?

14 COMMISSIONER KOUNALAKIS: Aye.

15 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

16 ACTING COMMISSIONER MILLER: Aye.

17 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

18 CHAIRPERSON YEE: Aye.

19 EXECUTIVE OFFICER LUCCHESI: The motion passes
20 unanimously.

21 CHAIRPERSON YEE: Great. Thank you very much.

22 Let's move on to our next order of business,
23 which is the Executive Officer's report. And, Ms.
24 Lucchesi, may we have that report?

25 EXECUTIVE OFFICER LUCCHESI: Yes, of course.

1 So first, I want to give the Commission an update
2 on the legislative session. The 2022 California
3 legislative session adjourned early in the morning on
4 September 1st, after several incredible busy weeks.
5 September 30th was the last day for the Governor to act on
6 bills sent to his desk and the Legislature sent the
7 Governor over 1,100 bills. The Governor signed 997 bills
8 and vetoed 169 bills, a veto rate of 14.5 percent. The
9 Governor sent legislators a package of climate and energy
10 proposal and 13 budget bills in mid-August. Also, in
11 August, the Governor sent legislators a proposal to extend
12 the Diablo Canyon power plant operations.

13 The Governor signed all of these bills into law
14 and AB 179 appropriated a little over \$1.2 million to the
15 Commission for technical assistance to support a study of
16 ports and other waterfront facilities for offshore wind
17 energy development in federal waters pursuant to AB 525.

18 The five climate and energy proposals signed into
19 law establish a goal to achieve carbon neutrality as soon
20 as possible but no later than 2045 and establish an 85
21 percent greenhouse gas emission reduction target as part
22 of that goal. It also requires the State to develop an
23 achievable carbon reduction target for natural and working
24 lands, create clean energy targets of 90 percent by 2035
25 and 95 percent by 2040, and establish an Oak -- excuse me

1 a carbon capture utilization and storage framework. And
2 finally, these bills establish a setback distance of 3,200
3 feet between new oil wells and homes, schools, parks, or
4 businesses, and ensure pollution controls for existing
5 wells within that footprint.

6 Other significant climate and energy bills signed
7 into law are AB 205, AB 209, and AB 211, all of which are
8 budget trailer bills and have provisions relevant to the
9 State Lands Commission. AB 205 changes several siting and
10 permitting requirements to accelerate clean energy
11 development. AB 280 -- 205 also grants the California
12 Energy Commission exclusive authority to permit eligible
13 clean energy projects while expressly preserving the State
14 Lands Commission leasing -- Commission's leasing
15 jurisdiction and authority.

16 AB 209 establishes a voluntary Offshore Wind and
17 Coastal Resources Protection Program to support the State
18 work that complements and furthers federal laws relating
19 to offshore wind development. And AB 211 declares that
20 the environmental review in the Final Programmatic EIR for
21 the Hollister Ranch Coastal Access Program in Santa
22 Barbara shall conclusively be presumed to satisfy CEQA for
23 any project an agency undertakes to create public access.
24 We'll hear more about that public access program and the
25 EIR during our regular session.

1 AB 211 also gives over \$64 million to the Ocean
2 Protection Council to coordinate and fund the State's sea
3 level rise efforts. The Governor vetoed SB 1065 due to
4 fiscal concerns. This is a bill that would have required
5 the State Lands Commission to administer a newly created
6 commercial abandoned vessel removal program. The
7 legislative update on the agenda, which is item 59, has
8 additional information about legislation the Commission
9 adopted as support position on or that affects -- or would
10 have affected the Commission.

11 For context, the Commission supported four bills
12 this year, AB 1832, by Assemblymember Rivas; AB 2109 by
13 Assemblymember Bennett, AB 2257 by Assemblymember Boerner
14 Horvath, and Assembly -- AB 353 by Assemblymember
15 O'Donnell, all of which were signed into law.

16 Next, I'm going to talk about our abandoned
17 vessel and marine debris removal activities. Last year,
18 the Commission authorized staff to take title to and
19 dispose of two floating tugboats in San -- Santa --
20 Sacramento County. The first of these was carried out in
21 January as an emergency disposal when the vessel broke
22 free and drifted into a navigation channel.

23 Last month, the Commission removed the second
24 vessel, the Standard No. 2 from State waters. We worked
25 with the U.S. Coast Guard, U.S. Army Corps of Engineers,

1 the Department of Toxic Substances Control, Fish and
2 Wildlife, and Sacramento County Sheriff's office to remove
3 these -- this -- these two vessels.

4 And then earlier this month, staff applied for a
5 \$14.875 million federal grant through the NOAA Marine
6 Debris Removal Grant Program. We proposed a Sonoma-Marin
7 Marine Debris Removal Program to clean up debris in
8 economically, ecologically, and recreationally important
9 coastal waters and bays in Sonoma and Marin counties. The
10 program would cover about 30 miles of shoreline and 25
11 square miles of marine environment. And it would involve
12 removing 14 abandoned vessels, including the American
13 Challenger, a fishing vessel off the coast of Marin
14 County, two tire debris sites in Tomales Bay containing up
15 to 1,000 tires near prime aquaculture grounds, and
16 dilapidated former commercial pier in Bodega Bay.

17 The program would leverage substantial in-kind
18 and financial contributions from partner agencies,
19 including the U.S. EPA, CalRecycle, and Sonoma County
20 Regional Parks. The grant program is a nationwide
21 competitive opportunity and we expect NOAA to award funds
22 in late 2022 or early 2023. And we'll keep the Commission
23 updated on that.

24 Next, I want to update the Commission on our
25 Platform Holly and Piers 421 decommissioning work. We

1 continue to maintain and monitor Platform Holly and the
2 onshore facilities to ensure public health and safety.
3 Five wells have had their surface plugs installed and are
4 permanently sealed. Operations are proceeding on schedule
5 with 23 of the remaining 25 wells. And once the remaining
6 two wells have the lower formations sealed work will start
7 to permanently seal all wells at the service -- at the
8 surface.

9 We estimate that the remaining abandonment work
10 will be completed by the end of this year. We are also
11 developing plans to flush and inert the platform and the
12 Ellwood Onshore Facility when aban -- well abandonment
13 work ends. And this will enable us to put the platform
14 and the EOF into a safe caretaker status mode, while
15 ExxonMobil performs a platform removal engineering study
16 and the environmental impact review is completed for the
17 ultimate decommissioning of the platform.

18 The Piers 421 removal project, a project that
19 started this past August is going well. Staff and its
20 contractors are on track to remove the two piers by
21 January or February of 2023. We have removed the old
22 abandoned wellheads and are digging out the soil filling
23 the internal space inside the caissons in preparation for
24 demolishing and removing the external caisson walls. We
25 are on-site and monitoring the projects -- the project's

1 progression.

2 An update on our Rincon Decommissioning Project.
3 As you have heard the phase one work is complete. We have
4 moved on, after the Commission approved the final
5 feasibility study for -- moved on to the EIR development
6 under CEQA. We are engaging an ongoing public outreach.
7 On our October 4th we released our Notice of Preparation
8 for the EIR. The proposed project for the EIR will
9 further analyze the reuse alternative from the feasibility
10 study pursuant to the Commission's direction.

11 On October 20th, we hosted two public scoping
12 meetings in the City of Carpinteria, one in-person meeting
13 and one hybrid. We have also begun informal consultation
14 with other government agencies, including the Coastal
15 Commission, the Coastal Conservancy, the Department of
16 Fish and Wildlife, the National Marine Service -- Fisheries
17 Service, and Ventura County. And that consultation will
18 continue throughout the CEQA process.

19 And finally, I wanted to provide an update to the
20 Commission on the recent earthquake the Bay Area just felt
21 a couple of hours ago. We have checked in with all of our
22 marine oil terminals in the Carquinez Strait in the Bay
23 Area, and everything is as it should be with no incidences
24 due to the earthquake.

25 That concludes my Executive Officer's report and

1 I'm happy to answer any questions.

2 CHAIRPERSON YEE: Thank you very much, Ms.
3 Lucchesi, and for the late breaking update as well with
4 respect to the earthquake. I'm glad everything is intact.

5 Commissioner Kounalakis and Miller, any questions
6 or comments on the report.

7 ACTING COMMISSIONER MILLER: (Shakes head).

8 COMMISSIONER KOUNALAKIS: (Shakes head).

9 CHAIRPERSON YEE: No. Okay. Very well. Thank
10 you very much for the comprehensive report and appreciate
11 the legislative update as well.

12 Let's move on to our next order of business then,
13 which will be the adoption of the consent calendar. Let
14 me just see, commissioners, any items that you would like
15 to see removed from the consent calendar.

16 COMMISSIONER KOUNALAKIS: (Shakes head).

17 ACTING COMMISSIONER MILLER: (Shakes head).

18 CHAIRPERSON YEE: Okay. Seeing none. Ms.
19 Lucchesi, are there any items that you would note for
20 removal from the consent calendar?

21 EXECUTIVE OFFICER LUCCHESI: Thank you. I was
22 just checking our public comment.

23 CHAIRPERSON YEE: Oh, I'm sorry, yes.

24 EXECUTIVE OFFICER LUCCHESI: Yeah.

25 CHAIRPERSON YEE: Let me go back. I'm sorry.

1 EXECUTIVE OFFICER LUCCHESI: Okay.

2 CHAIRPERSON YEE: Katie, was there any public
3 comment on the Executive Officer's report?

4 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
5 you, Madam Chair. At this time, we have no hands raised
6 to provide public comment on the Executive Officer's
7 report.

8 CHAIRPERSON YEE: Thank you. Appreciate that.

9 All right. So now on the adoption of the consent
10 calendar. Ms. Lucchesi, items of removal.

11 EXECUTIVE OFFICER LUCCHESI: Yes. Yes. Consent
12 items 30, 35, 45, and 50 are removed from the agenda and
13 will be considered by the Commission at another time.

14 CHAIRPERSON YEE: Okay. Very well. Thank you.
15 Okay. So let's see, Is there anyone who wishes to speak
16 on any item remaining on the consent calendar? If so, let
17 me just ask the members of the public who wish to speak to
18 please raised your Zoom hand or dial nine if joining by
19 phone now.

20 Okay. Katie, any raised -- hands raised?

21 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
22 you, Madam Chair. There are no hands raised to provide
23 public comment at this time.

24 CHAIRPERSON YEE: Okay. Great. Seeing no hands
25 raise and hearing no other desire to speak before the

1 Commission, we will now proceed with a vote. May I have a
2 motion to adopt the --

3 COMMISSIONER KOUNALAKIS: So moved.

4 CHAIRPERSON YEE: -- remaining items on the
5 consent calendar.

6 ACTING COMMISSIONER MILLER: Second.

7 CHAIRPERSON YEE: Thank you very much Commission
8 Kounalakis, second by Commissioner Miller.

9 We have a motion and a second. Ms. Lucchesi,
10 will you please conduct a roll call.

11 EXECUTIVE OFFICER LUCCHESI: Certainly.

12 Commissioner Kounalakis?

13 COMMISSIONER KOUNALAKIS: Aye.

14 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

15 ACTING COMMISSIONER MILLER: Aye.

16 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

17 CHAIRPERSON YEE: Aye.

18 EXECUTIVE OFFICER LUCCHESI: The motion passes
19 unanimously.

20 CHAIRPERSON YEE: Great. Thank you very much.

21 Our next order of business will be the regular
22 calendar. And let me turn to Item 60, which is
23 consideration of the approval of findings regarding an
24 Intergovernmental Support Agreement between the San Diego
25 Unified Port District and the United States Navy. May we

1 have the presentation.

2 EXECUTIVE OFFICER LUCCHESI: Yes.

3 CHAIRPERSON YEE: I believe Reid and Ben are
4 going to do this. Yes. Great.

5 EXECUTIVE OFFICER LUCCHESI: Yes.

6 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: And
7 we have a PowerPoint slides for this presentation as well.

8 CHAIRPERSON YEE: Terrific.

9 (Thereupon a slide presentation).

10 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: All
11 right. I'll start. You can -- you can move on to the
12 next slide. Thank you.

13 --o0o--

14 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: All
15 right. And good afternoon Madam Chair and commissioners.
16 The Port of San Diego and the Navy have entered into a
17 Governmental Support Agreement that will allow the Navy to
18 participate in California's Low Carbon Fuel Standard
19 Program. The LCFS is a key part of comprehen -- a key
20 part of a comprehensive set of programs to reduce
21 greenhouse gas emissions and other toxic pollutants by
22 improving vehicle technology, reducing fuel consumption,
23 and increasing transportation mobility options.

24 Under the program, the California Air Resources
25 Board calculates a carbon intensity score to diesel and

1 gasoline fuels and establishes -- establishes a benchmark.
2 Providers of transportation fuels must stay below the
3 carbon intensity benchmark by using less carbon intensive
4 fuels or by purchasing credits.

5 Using fuels whose carbon intensity is under the
6 benchmark generates credits and using fuels that exceed
7 the benchmark creates credit deficits. When an entity
8 generate credits, it can use those credits itself or sell
9 them on a LCFS credit market. The Navy has an opportunity
10 to generate the credits while their ships are plugged into
11 electrical shore power a Naval Base San Diego. But under
12 federal law, the Navy is unable to sell credits to fund
13 electrification projects on the Naval base.

14 Under the Intergovernmental Support Agreement
15 between the port and the Navy, the Navy would designate
16 the port to be the generator of the LCFS credit --
17 credits, which is authorized by the California Air
18 Resources Board regulations. The port will register Naval
19 Base San Diego's electric shore power infrastructure in
20 the LCFS program, monitor and report on its use, collect
21 credits generated by the use, and then sell those credits
22 on the -- on the market.

23 The Port estimates this partnership with the Navy
24 will generate over 200 million in credit sales. The Port
25 will use 81.75 percent of the proceeds from the Navy

1 credit sales to undertake Electrification projects at
2 Naval Base San Diego, which is adjacent to port property
3 but outside the port's granted lands. The Port will
4 procure and manage the projects under its existing
5 authority.

6 The projects will modernize, buildout, and expand
7 electrical infrastructure at Naval Base San Diego. This
8 will increase shore power capacity to meet expected
9 growth, expand car charging, and install electric
10 resilient systems. The Port will retain the remaining
11 18.25 percent to pay its costs in administering the LCFS
12 credit program and undertaking Naval Base San Diego's
13 electrification projects. The remaining funds will be
14 used for the Port's own electrification projects.

15 Next slide, please.

16 --o0o--

17 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: The
18 agreement aligns with the Port's Maritime Clean Air
19 Strategy, a policy document to help the Port identify
20 future projects and initiatives to improve health through
21 cleaner air while also supporting efficient and modern
22 maritime operations. The Maritime Clean Air Strategy
23 recognized that its neighboring communities continue to
24 suffer a disproportionate burden of environmental impacts,
25 including air pollution and more needs to be done to

1 reduce these impacts, including to transitioning to
2 cargo -- transitioning cargo fleets and equipment to
3 zero-emission alternatives, doubling shore power for
4 cruise ships and adding shore power alternative technology
5 to reduce ocean-going emissions at the National City
6 marine terminal.

7 Next slide, please.

8 --o0o--

9 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: The
10 Port requests that the Commission make determinations and
11 findings under Public Resources Code 6702 for the
12 intergovernmental support agreement. The determination
13 requires the Commission to: Find that the agreement is in
14 accordance with the terms of the Port Act; that the
15 proceeds of the agreement will be deposited -- deposited
16 in an appropriate fund expendable only for statewide
17 purposes authorized by the Port's statutory grant; the
18 agreement is in the best interests of the State; and the
19 Commission must also approve the proposed off-site
20 expenditures for electrification projects on Naval Base
21 San Diego.

22 Staff reviewed the agreement and expenditures and
23 concludes that they are consistent with the Port's
24 granting statutes. The proceeds of the agreement will be
25 deposited in its Tidelands Fund and used for electri --

1 electrification projects consistent with its grant and the
2 LCFS requirements. The partnership will allow the Naval
3 Base San Diego and the Port to fund projects that are
4 designed to remove harmful particulates from the air and
5 reduce greenhouse emissions and environmental impacts on
6 nearby communities, and staff believes it is in the best
7 interests of the State.

8 Increased electrification will also benefit
9 future facility development, including nearby shipyards
10 that are critical to the State and regional economy. For
11 these reasons, staff recommends that the Commission make
12 the necessary findings and approvals.

13 Next slide, please.

14 --o0o--

15 PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: And
16 that concludes staff's presentation, and I'm happy to
17 answer any questions

18 CHAIRPERSON YEE: Thank you very much, Reid, for
19 the presentation. Let me turn to our Commissioners to see
20 if there are any questions or comments.

21 Okay. Seeing none. Just a quick comment.
22 First, I -- I just want to applaud the Port of San Diego
23 and the U.S. Navy for this really innovative solution for
24 funding low carbon electrification projects. This is a
25 direction that we really do need to think about

1 accelerating and certainly will be very helpful to support
2 the State's net zero carbon emissions goals. And I know
3 this has been a long-standing relationship between the
4 port and the U.S. Navy, but just haven't come together on
5 something really this significant. I'm just really
6 pleased to see.

7 And then just to the Port of San Diego,
8 especially because we know that oftentimes when we look at
9 just what we are doing relative to trying to deal with
10 some of the adverse impacts from emissions, just being
11 mindful of the communities that are nearby to the ports
12 and being sure that we are continuing to keep them
13 informed and engaged relative to these -- to this work.
14 And I think the Port of San Diego has set a standard for
15 how they continue to engage these communities. So really
16 a big note of thanks to them.

17 Let me see if there are any public comments.
18 Anyone from the public who wishes to comment on this item,
19 please raise your zoom hand now.

20 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
21 you, Madam Chair. For our first public commenter, we have
22 Job Nelson.

23 CHAIRPERSON YEE: Great. Good afternoon, Job.

24 MR. NELSON: Good afternoon. And let's see if it
25 will let me do video. Thank you. And I want to say a big

1 thank you to your team. When we first came to Jennifer
2 and -- and then she turned it over to Reid and Ben, I will
3 say it took us 18 months to negotiate this deal with the
4 Pentagon. It took us a month -- a little over a month to
5 get this through State Lands in terms of all of the work
6 that your team put in, which I think is testament to how
7 quickly they worked and how slowly the Pentagon works.

8 But we are -- really are thrilled about this
9 agreement. I will just say that two weeks we met with
10 high up -- higher-ups at the Pentagon to talk about all
11 the exciting stuff that many of you have seen that we're
12 doing in San Diego. We talked about our electric crane
13 system, the first of its kind in North America that's
14 coming. We talked about our electric trug -- tug again,
15 the first of its kind in North America that's coming. And
16 they were excited about what we're doing and want to
17 partner with us and kind of do similar things. And
18 this -- this funding will enable that to happen. And, of
19 course, all of that then turns around not only reduces our
20 carbon footprint, but really reduces the impact on the
21 environmental justice neighborhoods that are surrounding
22 both us and the Navy. There's 50 miles of San Diego Bay,
23 the Port of San Diego has 34 of it, the Navy has 16. So
24 we really are partners around the whole thing.

25 And this action today is necessary. We can't

1 make this partnership happen without you all. The action
2 you're taking today enables us to not only generate the
3 money, but spend the money, which is an important part of
4 this. And so we would urge your support of this item and
5 we're excited about where this will go.

6 CHAIRPERSON YEE: Thank you very much, Job.
7 Really wonderful work. Appreciate that
8 Katie, our next speaker.

9 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
10 you, Madam Chair. We have no other hands raised to
11 provide public comment.

12 CHAIRPERSON YEE: All right. Very well. Thank
13 you. So this is an action item and just want to see if
14 there's a motion to adopt the staff recommendation and a
15 second.

16 ACTING COMMISSIONER MILLER: I'll move approval.

17 CHAIRPERSON YEE: Okay. I have motion by
18 Commissioner Miller. I will second that motion.

19 And Ms. Lucchesi, will you please conduct the
20 roll call.

21 EXECUTIVE OFFICER LUCCHESI: Certainly.
22 Commissioner Kounalakis?

23 COMMISSIONER KOUNALAKIS: Aye.

24 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

25 ACTING COMMISSIONER MILLER: Aye.

1 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

2 CHAIRPERSON YEE: Aye.

3 EXECUTIVE OFFICER LUCCHESI: The motion passes
4 unanimately.

5 CHAIRPERSON YEE: Thank you very much.

6 All right. We will move on to our next item,
7 which is Item 61 and this is a briefing on geothermal and
8 lithium resources on the lands that are managed by the
9 Commission. And we will have the presentation by Ricky
10 Lee, David Dillon, and Max Liebergesell.

11 (Thereupon a slide presentation).

12 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: Hello,
13 everyone.

14 CHAIRPERSON YEE: Good afternoon.

15 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: My
16 name is Ricky Lee. Thank you. I'm joined by our two Sea
17 Grant Fellows, Michael Wells and Max Liebergesell. The
18 purpose of this presentation is to provide more
19 information on geothermal and lithium development in the
20 Salton Sea region that has been gaining interest recently
21 as a possible new way to extract lithium during geothermal
22 production.

23 Next slide, please.

24 --o0o--

25 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: So

1 here is an overview map of imperial county that contains
2 the Salton Sea and our five active geothermal leases. The
3 yellow shapes on the left represent the recent leases
4 issued in 2020 to ORNI for geothermal exploration. The
5 blue and green shapes on the right side refer to the
6 sovereign lands leased/managed by the Commission and two
7 leases held on the Department of Fish and Wildlife lands
8 respectively.

9 We have one new application for geothermal
10 leasing in other Department of Fish and Wildlife lands
11 just further north of these leases, partly within the
12 Wister Waterfowl Management Area.

13 Next slide, please.

14 --o0o--

15 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: The
16 type of geothermal activity present in Imperial County is
17 fluid dominated and has the highest potential within
18 California for generating geothermal power, but it is more
19 complicated and costly to develop here. The temperature
20 ranges greatly and will often dictate what type of power
21 plant is most appropriate. If the temperature occurs on
22 the lower end up to 300 degrees Fahrenheit a binary
23 geothermal plan may be constructed that uses a heat
24 exchanger between the geothermal fluid and another working
25 fluid with a lower boiling point, such as isobutane or

1 temperature steam to turn the turbines that generate the
2 electricity. The temperature of the steam ranges from
3 about 500 to 600 degrees Fahrenheit, and a typical well
4 here costs about \$7 million.

5 We currently have seven active leases and two
6 revenue sharing agreements with Calpine Geothermal
7 Corporation that generate more than \$5 million annually
8 for the state.

9 Next slide, please.

10 ---o0o--

11 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: So we
12 have several new lease and permit applications that we are
13 currently processing. Deep Rose Geothermal seeks to
14 explore for geothermal resources near their Coso
15 Geothermal Field in Inyo County near Coso Junction.

16 We have Hell's Kitchen Geothermal, which has
17 applied for geothermal and mineral extraction lease within
18 lands managed by the Fish and -- Department of Fish and
19 Wildlife and hope to extract lithium and other minerals as
20 part of their operations.

21 And finally, we have one mineral prospecting
22 permit application from a company named IG lithium within
23 the Panamint Valley near the small mining town of
24 Ballarat. The regional geology of the Salton Sea that
25 created this unique opportunity of potentially developing

1 geothermal power and lithium extraction simultaneously is
2 due to the combination of some major factors I listed
3 here. It is a place for a tectonic extension is creating
4 a depression over time in a location that held a large
5 lake that would fill up from surrounding runoff. However,
6 due to the low elevation, this water would never make its
7 way to the ocean, accumulating salts and other minerals
8 over thousands of years of have repeated filling and
9 evaporation.

10 In addition to this, the combination of the
11 relatively shallow geothermal heat source interacting with
12 the groundwater increases the migration and concentration
13 of these accumulating minerals within the brine.

14 Now, I'll hand it over to Michael Wells to talk
15 more about lithium development.

16 Next slide, please.

17 --o0o--

18 SEA GRANT FELLOW WELLS: Thank you, Ricky. And
19 good afternoon, commissioners. So before we talk about
20 the potential lithium opportunities in the Salton Sea
21 region, I want to give a quick overview of lithium and
22 some market uses and trends. So at a really high level,
23 what is lithium? It's the third element on the periodic
24 table, which means it's very light and also stores a lot
25 of energy. And that helps explain why it's so useful and

1 in high demand for so many products. The most common
2 commercial forms of lithium are lithium hydroxides and
3 lithium carbonates. So when you hear estimates for
4 volumes of supplies and demand of lithium, they're
5 typically talking about these mineral forms.

6 And they're found in hard rocks and geothermal
7 brines commonly around dry salt lakes that are in South
8 America, the U.S., and Australia.

9 Next slide, please.

10 --o0o--

11 SEA GRANT FELLOW WELLS: So because of its light
12 weight, lithium has historically been used in ceramics and
13 other industrial applications. But more recently, it has
14 become really important for -- for batteries in electric
15 vehicles and battery storage for renewable energy. And
16 with the recent surge in demand for electric vehicles and
17 battery storage, the global demand for lithium is expected
18 to increase over 600 percent between now and 2030 and
19 batteries will account for 95 percent of that demand.

20 So the U.S. and the global economy really needs
21 to ramp up lithium production to meet that demand and to
22 enable our clean energy transition.

23 Next slide, please.

24 --o0o--

25 SEA GRANT FELLOW WELLS: Currently, there are two

1 methods for extracting lithium. The most used method is
2 with evaporation ponds, where geothermal brines that are
3 rich with lithium are pumped from aquifers into man-made
4 pools or ponds on the surface. And after some time, the
5 sun evaporates the water and leaves behind the lithium
6 minerals. And this is mainly used on dry salt lakes in
7 South America that account for about 60 percent of global
8 supplies of lithium.

9 But as you can imagine from seeing the pictures
10 on the slide, the environmental impacts are pretty
11 significant. The ponds take up a lot of land and displace
12 a lot of sensitive habitat. And this process is very
13 water intensive, since they're pumping groundwater and
14 just letting it evaporate, using up to 500 thousands
15 gallons of groundwater to produce just one ton of lithium
16 carbonate. And since this process happens in the open, it
17 creates lot of toxic air pollution from dust and toxic
18 runoff that seeps into the groundwater.

19 Next slide, please.

20 --o0o--

21 SEA GRANT FELLOW WELLS: The second most used
22 extraction method is hard rock mining. So this is more
23 common or typical with other mining methods, where hard
24 rock ores are extracted from open pit mines, and then
25 they're crushed and processed with toxic chemicals to

1 isolate the lithium. And this method is used in China and
2 Australia to produce about 40 percent of global lithium
3 supplies. And unfortunately, this method is also very
4 damaging to the environment. The open pits displace a lot
5 of habitat and destroy a lot of landscapes. They also
6 produce a lot of hazardous rock waste that has to go into
7 landfills, and they also create toxic air pollution and
8 water pollution.

9 Next slide, please.

10 --o0o--

11 SEA GRANT FELLOW WELLS: But there is a potential
12 new extraction method for lithium called direct lithium
13 extraction that would produce lithium from geothermal
14 brines alongside the production of geothermal energy. And
15 it has the potential to be a low-impact and multi-benefit
16 extraction method, because it would co-produce both
17 lithium and geothermal energy at the same location. And I
18 can walk you through the steps using the picture on the
19 right.

20 So first step, the geothermal brine is ex -- is
21 extracted and pumped into the facilities. Second step
22 the -- is the steam from the brine then turns a turbine
23 and produces the geothermal energy. Third step, the brine
24 is then filtered or treated with chemicals to extract the
25 lithium. And then fourth, the brine is then reinjected or

1 pumped back into the reservoir, so there is very little
2 water loss. Steps one, two, and four are what already
3 happen to produce geothermal energy, and step three would
4 be the only new addition to the process to produce
5 lithium. But this method is still in research and
6 development stages and has not yet been demonstrated at
7 commercial scales.

8 Next slide, please.

9 --o0o--

10 SEA GRANT FELLOW WELLS: But using this new
11 technology, the Salton Sea region could produce a lot of
12 lithium and geothermal power. The brine below the Salton
13 Sea has incredibly high concentrations of lithium, over 40
14 times higher than other salt lakes in the U.S. And that
15 could produce up to 600,000 tons of lithium carbonate per
16 year, which is more than the current global production and
17 could be about a third of global production in 2030. That
18 could create at \$10.2 billion industry based on 2021's
19 average price of lithium, but the price of lithium is
20 expected to increase as demand outpaces increases in
21 supplies.

22 The geothermal facilities in this region could
23 also produce up to 2,900 megawatts of clean base load
24 energy, which for context is about 30 percent more than
25 the Diablo Canyon power plant.

1 So the benefits from this could be very important
2 for our State and federal climate goals for clean energy
3 and electric vehicles by providing domestic supply of
4 lithium. And that's important not only for fighting
5 climate change, but also for economic security, energy
6 security, and helping to reduce the cost of electric
7 vehicles and renewable energy.

8 More locally for the Salton Sea region, this
9 industry could provide seven to nine thousand jobs and
10 provide crucial economic investment in the region, which
11 historically has suffered from underinvestment and ranks
12 among the lowest for per capita income in the state.

13 But to make sure these benefits are equitable and
14 sustainable, we need to carefully examine the potential
15 environmental impacts and stakeholder input.

16 I'll now hand it over to Max to discuss those
17 considerations.

18 Next slide, please.

19 --o0o--

20 SEA GRANT FELLOW LIEBERGESELL: Yeah, thanks,
21 Michael. And good afternoon, everyone. So I'll be
22 touching on a few potential environmental impacts, as well
23 as discuss some stakeholder considerations within the next
24 few slides here.

25 I'll start by first discussing the ecology of the

1 Salton Sea. So given the reduction of coastal wetlands
2 along the Pacific Ocean to the west and Gulf of California
3 to the southeast, the formation of the Salton Sea has
4 really provided a critical rest and recovery area for
5 local migrating, breeding, and overwintering birds that
6 use it along what's called the Pacific Flyway.

7 And in fact, as many as 400 bird species have
8 been documented in the area, some of which include federal
9 or State protected species. Birds also use the Salton Sea
10 to feed on a host of fish species that have been
11 introduced into the sea. Given previous urbanization of
12 the region, the actually only native fish species, the
13 Desert Pupfish is listed as both a federal and State
14 endangered species, citing habitat disruption, habitat
15 fragmentation, and predation by those non-native species
16 as the main contributors to its population declines.

17 Additionally, impacts to air quality are a major
18 concern for communities around the Salton Sea. But
19 comparatively, geothermal power plants really emit some of
20 the lowest greenhouse gases, because carbon dioxide is not
21 produced from combustion, but rather a minor natural
22 constituent of geothermal reservoirs. And so direct
23 lithium extraction methods that are paired with geothermal
24 power plants will likely result in a negligible
25 contribution to greenhouse gases within the region. It's

1 more likely that the main source of greenhouse gas
2 emissions will be from the construction and trucking
3 operations used to build more geothermal power plants.

4 Next slide, please.

5 --o0o--

6 SEA GRANT FELLOW LIEBERGESELL: So moving on to
7 potential impacts to water resources and hazardous
8 material. As mentioned earlier, methods used to extract
9 the brine under the Salton Sea basin typically occur in
10 really deep groundwater reservoirs, but often sit anywhere
11 between four and six thousand feet below the surface. And
12 freshwater reservoirs used to sustain local irrigation and
13 aquaculture farms sit well above the brine-containing
14 reservoir. And so the impermeability of the rocks between
15 the deep brine reservoir and shallow water reservoir is
16 really believed to impede the flow of groundwater between
17 the two systems, likely causing little concern for
18 cross-contamination between them.

19 And like Michael mentioned, the process of
20 extracting lithium from brines is novel, and therefore may
21 require the use of chemical compounds to become more
22 efficient at extracting usable lithium. This may include
23 some of the use of chemicals that are deemed hazardous to
24 the environment or human health. However, working within
25 a closed loop system really helps aid the proper

1 collection and disposal of any hazardous material that may
2 accumulate during the extraction process.

3 Next slide, please.

4 --o0o--

5 SEA GRANT FELLOW LIEBERGESELL: So now I want to
6 switch gears a little bit and discuss some of the softer
7 outcomes of lithium development.

8 Communities surrounding the Salton Sea in both
9 counties, Imperial and Riverside county, have been
10 designated by SB 535 as disadvantaged communities due to
11 the disproportionate burden of health and environmental
12 impacts that are negatively affecting predominantly
13 Hispanic and BIPOC residents.

14 The Salton Sea is located in an area that has
15 been inhabited by California's native peoples since time
16 immemorial, including descendants of the Cahuilla,
17 Cocopah, and Kumeyaay. The Torres Martinez Desert
18 Cahuilla Indian Reservation was established in 1876 well
19 prior to the formation of the Salton Sea. When the sea
20 was forming, nearly half of the reservation became
21 submerged, but the tribe is still the largest private
22 landowner in and around the Salton Sea. And as such,
23 they're really heavily involved in planning for the sea's
24 future through a wetland pilot project, as well as other
25 water management and conservation activities.

1 Still, the effects of decades of build up of
2 pesticides and selenium, as well as increasing dust storms
3 caused by receding shorelines has had adverse impacts on
4 the economy and health of the nearby native communities
5 and residents.

6 And so within these communities, feedback
7 regarding the development of direct lithium extraction has
8 really ranged from optimism about the potential economic
9 benefits to concerns that the benefits might not be shared
10 with the local community and that the region's
11 environmental conditions might actually worsen. And so
12 it's really critical that the benefits from lithium's
13 potential in the region are as felt and shared throughout
14 the entire community. And this could be done through AB
15 208, which directs tax revenues towards the Salton Sea
16 restoration and community grant programs in the form of
17 investments into education, public health, and/or local
18 infrastructure.

19 Next slide, please.

20 --o0o--

21 SEA GRANT FELLOW LIEBERGESELL: So to finalize,
22 to date, the Lithium Valley Energy Commission, established
23 by the CEC, has funded more than 10 million into research
24 and development projects. The Lithium Valley Commission,
25 also referred to as the Blue Ribbon Commission, recently

1 released a draft report that highlights, but is not
2 limited to some of the market opportunities, standards for
3 lithium extraction, and potential economic or
4 environmental impacts. And this report was released to
5 meet the requirements of AB 1657.

6 And also, currently the Commission oversees a
7 lease for the company's energy sources was indicated that
8 lithium productions could begin as early as 2025 due to an
9 extraction method proposed at their Hudson Ranch
10 geothermal power plant.

11 Next slide, please.

12 --o0o--

13 SEA GRANT FELLOW LIEBERGESELL: And with that,
14 we'll take any questions or comments.

15 CHAIRPERSON YEE: Thank you very much for the
16 presentation. Really appreciate it. A lot of great
17 information. Let me turn to Commissioner Kounalakis and
18 Miller to see if there are any questions or comments.

19 Commissioner Kounalakis.

20 COMMISSIONER KOUNALAKIS: Thank you, Madam Chair.
21 Thank you, Madam Chair. I have two questions for you.
22 The first is I saw the map, but I'm a little confused
23 about what our jurisdiction would actually look like --
24 would -- what would our role be if -- in the permitting
25 process in terms of environmental review and other

1 elements? And then my second question is you mentioned
2 that the kinds of extraction techniques that are currently
3 used are very invasive, but there are other -- these
4 others that are coming. Can you give us an idea of just
5 time frame of when you see those BETTER and more
6 sustainable kinds of extraction techniques would -- would
7 come online.

8 CHAIRPERSON YEE: Thank you, Commissioner
9 Kounalakis.

10 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: Sure,
11 yeah, I can answer that. Sorry.

12 CHAIRPERSON YEE: Real quick, Ricky. It's okay.
13 Why don't we have Max -- or, excuse me, Michael talk about
14 the extraction methods, your second question, Commissioner
15 Kounalakis, while Phil brings up our PowerPoint
16 presentation and goes to the back-up slides. And then
17 Ricky can address our specific jurisdiction, because it is
18 complex and nuan -- nuanced in that area.

19 SEA GRANT FELLOW WELLS: Thank you. Yeah, I can
20 answer the second question. So there are a couple
21 different projects that are in the very early stages just
22 at demonstration scale, so not quite yet at commercial
23 scale. And those are being constructed currently and
24 expected to be producing lithium between 2023 and 2025.
25 And I believe the soonest expectations for commercial

1 scale would be as soon as 2025 for some of those projects.
2 And that's for the new direct lithium extraction process.

3 COMMISSIONER KOUNALAKIS: And -- and so again
4 just one follow-up. What I'm hearing then is an
5 assumption, I think, that any project that we would
6 imagine coming before us would utilize a more sustainable
7 method of extraction than currently is the best practice,
8 which doesn't sound like a particularly good practice, is
9 that right?

10 SEA GRANT FELLOW WELLS: Yes. I believe so, yes.
11 I think most of the proposals are just for the new direct
12 lithium extraction method.

13 COMMISSIONER KOUNALAKIS: Okay.

14 CHAIRPERSON YEE: Great. Thank you for the
15 question.

16 Commissioner Miller, any questions or --

17 ACTING COMMISSIONER MILLER: (Shakes head)

18 EXECUTIVE OFFICER LUCCHESI: Actually Chair Yee,
19 can --

20 CHAIRPERSON YEE: Oh, I'm sorry. We're going to
21 go through -- yeah with the process, yeah.

22 EXECUTIVE OFFICER LUCCHESI: Yeah. Ricky can
23 explain our nuanced jurisdiction in this area.

24 CHAIRPERSON YEE: Good. Okay.

25 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: Yeah.

1 So there is this map that kind of shows the same thing as
2 the overview map without a lot of the other landowners.
3 The major landowner here is IID Imperial Irrigation
4 District. But yeah, so I prepared this map that just
5 shows park lands, which are the yellow outlines, our fee
6 school lands, which are in red, and the green ones
7 represent our 100 percent reserved mineral interests, so
8 we don't own the surface. And then the blue ones, which
9 we don't have that many, those represent where we own
10 1/16th percent of the mineral interests, and we do not own
11 the other 15/16 percent and we do not own the surface.

12 And so the one sovereign lands lease, which is
13 the energy source, lease 9000, that was this one parcel
14 that we got in exchange with the IID. In 1956, we
15 exchanged for a parcel in the Colorado River for that.
16 And so, yeah, it's pretty complex here. The two leases
17 that we manage for CalEnergy, they're actually the Fish
18 and Wildlife lands that we manage on behalf of them. But
19 the ones that we have over on the left, the ORNI 5 leases,
20 those are our State Lands Commission leases there.
21 Actually, I think one of them are on Parks lands too,
22 Parks and Commission --

23 CHAIRPERSON YEE: All right.

24 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: -- for
25 those two leases.

1 EXECUTIVE OFFICER LUCCHESI: So just -- just to
2 summarize, we have school lands and reserve mineral
3 interests lands, where we manage geothermal leases and
4 where there's potential. There's the sovereign lands,
5 which are subject to the Public Trust doctrine that have a
6 different statutory framework and regulated -- regulatory
7 framework by which we would manage those leases. And then
8 also, because of our expertise in mineral resources
9 management extraction and development, like Ricky, we also
10 manage these types of leases on behalf of other State
11 agencies like Fish and Wildlife, and the Department of
12 Parks and Rec.

13 So like we mentioned, it's -- it really depends
14 on the specific location of the parcel, but the bottom
15 line is we don't have regulatory oversight jurisdiction.
16 It all is based on land ownership and resource interest
17 ownership is where we get involved in these types of
18 geothermal and lithium extraction projects

19 CHAIRPERSON YEE: All right. That's helpful.

20 COMMISSIONER KOUNALAKIS: Thank you.

21 CHAIRPERSON YEE: Yeah. This map is actually
22 really instructive. Great. Thank you.

23 Commissioner Miller, any questions or comments.

24 ACTING COMMISSIONER MILLER: No. No questions or
25 just one brief comment. This is -- this is really

1 fantastic and I do want to thank the Commission staff for
2 all of their help while the legislation was going through.
3 And really to the whole community, the legislation and I
4 think all the production has been a community effort in
5 addition to a statewide effort. For example, that
6 CalEnergy lease that State Lands has -- will be connected
7 to part of like to geothermal transmission. So I think
8 there will be lots of opportunities. And I think that the
9 way we've managed -- in part because of everything we
10 learned from the Commission of how to serve communities,
11 that the whole way that the land is leased and the lithium
12 is taxed will be also about making sure that we are
13 supporting the communities and that the community builds
14 up around it, as a really great opportunity.

15 So just thank you again to the Commission for all
16 of their work on this and continued work to make sure that
17 California can be a leader in these -- in these minerals
18 and such vital natural resources.

19 So thank you.

20 CHAIRPERSON YEE: Thank you, Commissioner Miller
21 and very well stated points. I think this is one area
22 where I think the State did begin it right, in terms of
23 engaging the communities. And so it's something we
24 definitely want to see continue. It's new technologies
25 and very excited in terms of just how encouraging this is

1 in terms of our State's net zero emission goals. But I
2 think the questions around impacts, and there are many of
3 them, will still be on people's minds. And so to the
4 extent that we can prioritize just this entire process
5 being centered and minimizing those impacts and also
6 centered in equity, which will be informed by our
7 relationships with the -- with the local community.

8 I did have one question and that is because this
9 is all centered around land ownership and this really has
10 more to do with impacts, and there may not be any, but
11 every time I hear groundwater impacts, I think about
12 obviously water sources for different entities down there,
13 are -- and -- and I know we're looking at the direct
14 extraction methods. But to the extent that there are
15 groundwater impact, does that -- does that have material
16 effects on IID and their -- and their operations?

17 EXECUTIVE OFFICER LUCCHESI: That is a great
18 question. I'll look to Matt, or Michael, or Ricky if you
19 have any insights on that, other than -- if they don't,
20 then we'll have to get back to you on that, but I'll open
21 it up to --

22 CHAIRPERSON YEE: Okay. And this is because of
23 the precarious water situation down there, right. Yeah.

24 EXECUTIVE OFFICER LUCCHESI: Yes.

25 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: Yeah,

1 I -- I could -- I could just say one thing. I know that
2 the -- in geothermal operations, they keep pretty close
3 tabs on the reservoir pressure.

4 CHAIRPERSON YEE: Okay.

5 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: And so
6 they have to maintain kind of a reservoir pressure. And
7 the first thing that they do is when they lose some
8 pressure is they check where the leaks are. And if it --
9 and it usually ends up being something like that. So,
10 yeah, they're pretty -- pretty -- pretty cognizant of
11 that.

12 CHAIRPERSON YEE: Okay. Okay. I think that --
13 that's the one resource that seems to be more finite these
14 days. Now, they're -- so I want to be sure we're --

15 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: And
16 it's also taken pretty deep. It's around 8,000 feet --

17 CHAIRPERSON YEE: Yeah, I saw that.

18 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: -- in
19 Salton Sea, so there are other reservoirs that -- aqui --
20 freshwater aquifers that are actually above that --

21 CHAIRPERSON YEE: Above that.

22 ASSOCIATE MINERAL RESOURCES ENGINEER LEE: --
23 that they won't touch at all.

24 CHAIRPERSON YEE: Okay. All right. Thank you
25 for that. All right. Thank you. So let me turn to

1 members of the public to see if there's any public comment
2 on this item. So, Katie, if you will identify anyone who
3 has their Zoom hand up to comment on this item.

4 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
5 you, Madam Chair. We have no hands raised to provide
6 comment on this item.

7 CHAIRPERSON YEE: Okay. Very well. Thank you
8 very much. Thank you for the presentation. We look
9 forward to obviously the work that continues before
10 this -- this Commission with respect to the leases that
11 are in the -- that -- that are pending and really
12 appreciate the background and presentation.

13 Thank you.

14 All right. Members, we are going to now move to
15 Item 62 and this is to consider a Memorandum of Agreement
16 regarding the interagency coordinated review and
17 preparation of environmental documents for the Hollister
18 Ranch Coastal Access Program. And we do have a
19 presentation on this item that will be provided by Lucinda
20 Calvo.

21 Good afternoon.

22 STAFF ATTORNEY CALVO: Good afternoon,
23 Commissioners. We had a slide presentation.

24 (Thereupon a slide presentation).

25 STAFF ATTORNEY CALVO: Next slide, please.

1 --o0o--

2 STAFF ATTORNEY CALVO: Hollister Ranch is a
3 private 14,000-acre gated subdivision in Santa Barbara
4 County made up of 136 individually held parcels adjacent
5 to 8.5 miles of State-owned public shoreline along the
6 Gaviota coast, including six sandy beaches. The 16-mile
7 long Gaviota coast is the least accessible shoreline in
8 California with less than two miles available for general
9 public use. The Hollister Ranch Owners Association owns
10 and controls the guard gate, access road, and much of the
11 land between the road and the mean high tide line, and
12 does not allow land-based unsupervised public access to
13 the beaches.

14 This slide depicts the location of the private
15 parcels and the six beaches relative to the California and
16 regional coastline west of Gaviota State Park and east of
17 Point Conception.

18 Next slide, please.

19 --o0o--

20 STAFF ATTORNEY CALVO: In 2019, Assembly Bill
21 1680 was enacted to provide true land based public access
22 to the tidelines along Hollister Ranch and requires the
23 State Lands Commission, California Coastal Commission,
24 State Coastal Conservancy, and the California Department
25 of Parks and Recreation, collectively the interagency

1 team, to prepare an updated contemporary public access
2 program for the Hollister Ranch beaches.

3 Next slide, please.

4 --o0o--

5 STAFF ATTORNEY CALVO: The Hollister Ranch
6 Coastal Access Program, HRCAP, seeks to implement safe,
7 equitable, and inclusive overland public access to the
8 Hollister Ranch coastline and provide experiences that
9 meet the interests of a broad range of Californians, while
10 minimizing impacts to coastal resources, including natural
11 habitats, cultural resources, agricultural operations, and
12 respecting private property rights.

13 The HRCAP considers various forms of
14 transportation to access the beaches, including guided and
15 unguided shuttle buses, cars, bikes, hiking and horseback
16 riding, as well as infrastructure improvements to
17 accommodate public access.

18 The Draft HRCAP was developed through a robust
19 public engagement and outreach process beginning in
20 December 2019 through November 2021. The interagency team
21 anticipated presentation of the final program for Coastal
22 Commission approval in March 2022. However, although the
23 Coastal Commission certified regular -- regulatory program
24 makes their review process equivalent under the California
25 Environmental Quality Act, or CEQA, in order to be

1 responsive to stakeholder input over the applicability of
2 CEQA to the Coastal Commission's action to approve the
3 HRCAP, the interagency team determined that preparing a
4 programmatic Environmental Impact Report, PEIR, would be
5 the appropriate process to ensure environmental compliance
6 and public input.

7 As required by AB 1680, on February 28th, 2022,
8 the interagency team submitted a letter to the Legislature
9 notifying it that the adoption and implementation of the
10 program would be delayed while the Environmental Analysis
11 is prepared.

12 Next slide, please.

13 --o0o--

14 STAFF ATTORNEY CALVO: Because the Coastal
15 Commission will be the first agency to act on the program,
16 it will be lead agency under CEQA with State Lands, the
17 Coastal Conservancy, and State Parks acting as CEQA
18 responsible agencies. Under Coastal Commission lead
19 agency oversight, the State Lands Commission will manage
20 day-to-day preparation of the PEIR and manage the PEIR
21 consultant. Through a separate interagency agreement
22 authorized by the Commission in June, the Coastal
23 Conservancy will provide funding to State Lands for
24 preparation of the PEIR. The funding comes from 10
25 million appropriated to the Coastal Conservancy for

1 Hollister Ranch public access in the fiscal year 2021
2 budget.

3 In addition to and following completion of the
4 PEIR, long-term access rights will need to be resolved
5 consistent with the direction and spirit of the HRCAP.

6 Next slide, please.

7 --o0o--

8 STAFF ATTORNEY CALVO: To facilitate cooperation
9 on the HRCAP and PEIR processes, the counsels for the four
10 agencies of the interagency team have composed a draft
11 Memorandum of Agreement, or MOA. The MOA would establish
12 a joint review panel, or JRP, for environmental review, as
13 well as clearly articulate various agency roles and
14 responsibilities among the interagency team. The MOA
15 would also facilitate confidential consultation to the
16 extent allowed by law among the interagency team during
17 drafting of the PEIR. The MOA would also articulate and
18 memorialize the interagency team's common legal interest
19 in sharing information in performing legally sufficient,
20 timely, and thorough environmental review of the HRCAP.

21 The MOA would also establish and memorialize the
22 consultation between and among their respective legal,
23 scientific, technical, and other staff, and retained
24 experts and consultants is reasonably necessary to
25 accomplish the purposes related to that common interest.

1 Next slide, please.

2 --o0o--

3 STAFF ATTORNEY CALVO: One of the key principles
4 of the common law Public Trust Doctrine is the people's
5 right to access public tidelands and submerged lands along
6 the California coast. The Commission's participation in
7 the MOA would facilitate preparation of the PEIR and
8 eventual adoption of the HRCAP, and would support the
9 process to create public access to 8.5 miles of
10 State-owned beach areas that are currently inaccessible to
11 the public. The MOA would also optimize the legal
12 positions of the agencies composing the interagency team,
13 including the Commission as they work through the process.

14 For the reasons stated above, staff believes the
15 Commission's execution of and participation in the MOA
16 would have positive impacts on the Commission's management
17 of the Public Trust lands and resources, and it is
18 consistent with the Public Trust Doctrine and is in the
19 best interests of the State.

20 Next slide, please.

21 --o0o--

22 STAFF ATTORNEY CALVO: Staff recommends that the
23 Commission find that execution of the proposed Memorandum
24 of Agreement is consistent with the Public Trust needs and
25 values at this location, is consistent with the common law

1 Public Trust Doctrine, and is in the best interests of the
2 State.

3 Next slide, please.

4 --o0o--

5 STAFF ATTORNEY CALVO: Staff also recommends that
6 the Commission authorize the Executive Officer, or her
7 designee, to execute the Memorandum of Agreement among the
8 Commission, California Coastal Commission, the California
9 State Coastal Conservancy, and the California Department
10 of Parks and Recreation regarding the interagency
11 coordinated review and preparation of environmental review
12 documents for the Hollister Ranch Coastal Access Program
13 substantially in the form as set forth in Exhibit C to the
14 staff report.

15 Next slide, please.

16 --o0o--

17 STAFF ATTORNEY CALVO: Thank you very much for
18 your attention and I would be happy to answer any
19 questions.

20 CHAIRPERSON YEE: Thank you very much for the
21 presentation, Lucinda.

22 Let me turn to Commissioners Kounalakis and
23 Miller for any questions or comments?

24 COMMISSIONER KOUNALAKIS: (Shakes head).

25 CHAIRPERSON YEE: Okay. Seeing none, let me --

1 ACTING COMMISSIONER MILLER: Oh, sorry --

2 CHAIRPERSON YEE: Oh, I'm sorry.

3 ACTING COMMISSIONER MILLER: -- Madam Chair.

4 CHAIRPERSON YEE: Yes, please, Commissioner
5 Miller.

6 ACTING COMMISSIONER MILLER: I just want to --
7 you know, we sit on the Coastal Conservancy as well. And
8 I just think that this idea of bringing all these parties
9 together, collaborating and coordinating, and having a
10 lead agency, I do think that this work is so important.
11 And Ms. Calvo, I'm really grateful for everything you're
12 doing to -- to bring folks together to make sure it gets
13 done. It's really the only way I think we can move
14 forward with -- with making sure that the State law is
15 implemented.

16 And I think this -- this is a very important step
17 in what is -- has been a difficult obviously situation to
18 navigate and ensuring that -- that the will is -- is, in
19 fact, implemented. So thank you for your work -- and I --
20 and I do hope that your efficiency and ability to move
21 through this process will really help all of the agencies
22 and departments involved, so thank you for that, and happy
23 to move approval when you're ready, Madam Chair.

24 CHAIRPERSON YEE: Thank you, Commissioner Miller.
25 Thank you. And let me add on to that, that I'm just

1 really grateful for the tremendous commitment of the State
2 Lands staff as well as the staff of the other sister
3 agencies. I think all four agencies have really
4 demonstrated the commitment of their wide-ranging
5 expertise with respect to all the issues that are
6 attendant to this particular initiative. And -- and I
7 just think the thoughtfulness and attention that has gone
8 into this and where we are now today with this Memorandum
9 of Agreement is really a critical juncture. And so I'm
10 optimistic about the future and look forward to continuing
11 to, you know, just -- not just memorialize the work, but
12 also to just really facilitate the work that still needs
13 to be done to be sure we have public access in this part
14 of our coast.

15 So Katie, I'm going to look to you to see if
16 there are any public comments. And if anyone wishes to
17 address the Commission on this item, please raise your
18 Zoom hand now.

19 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
20 you, Madam Chair. We have no hands raised to provide
21 comment on this item

22 CHAIRPERSON YEE: Okay. Very well. Thank you.
23 So we do have a motion by Commissioner Miller. I will
24 second that motion.

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

1 EXECUTIVE OFFICER LUCCHESI: Of course.

2 Commissioner Kounalakis?

3 COMMISSIONER KOUNALAKIS: Aye.

4 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

5 ACTING COMMISSIONER MILLER: Aye.

6 EXECUTIVE OFFICER LUCCHESI: Chair Yee?

7 CHAIRPERSON YEE: Aye.

8 EXECUTIVE OFFICER LUCCHESI: The motion passes
9 unanimately.

10 CHAIRPERSON YEE: Thank you very much.

11 Next, we will move on to Item 63. And this is to
12 give instructions to staff negotiators in closed session
13 regarding the lease amendment or other agreement for the
14 extended use of the infrastructure associated with or
15 necessary for the continued operation of the Diablo Canyon
16 power plant. And we do have a presentation.

17 Ms. Lucchesi.

18 EXECUTIVE OFFICER LUCCHESI: Yes. I'll just be
19 brief on this. The Commission currently manages an
20 existing lease with PG&E for the offshore infrastructure
21 associated with Diablo Canyon Power the Diablo Canyon
22 Power Plant. PG&E has submitted -- is in the process of
23 submitting an application and has submitted depositions -- their
24 minimum required filing fee as part of efforts under SB
25 846 to extend the operations of Diablo Canyon until 2030.

1 The Commission is authorized to discuss this
2 lease applica -- amendment application in closed session
3 pursuant to Government Code Section 11126 subdivision
4 (c)(7). And with that, I'll turn it back to the Chair.

5 CHAIRPERSON YEE: Great. Thank you very much.

6 Let me just see if we have any comments from
7 commissioners on this item?

8 COMMISSIONER KOUNALAKIS: (Shakes head).

9 ACTING COMMISSIONER MILLER: (Shakes head).

10 CHAIRPERSON YEE: Okay. Seeing none. Katie, I'm
11 going to look to you to see if there are any public
12 comments on this item. And if anyone wishes to address
13 the Commission on this item, please raise your Zoom hand
14 now.

15 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
16 you, Madam Chair. There are no hands raised to provide
17 comment on this item.

18 CHAIRPERSON YEE: Great. Thank you very much.
19 Thank you. Appreciate the item before us. And I just
20 wanted to make one comment on this and that is this is
21 a -- a proposal that will be before the Commission with
22 respect to the extension of the operations at the power
23 plant. And as is the usual, I think, operation of this
24 Commission, I'm actually looking forward to the
25 deliberations on this. Always thoughtful before this

1 Commission. I think always looking at some of the
2 attendant issues as well just as we did back in 2016 when
3 this issue was before us, and so just want to be sure that
4 as we now look at how we translate the legislation into
5 the actual operationalizing of the extension of the
6 operations, that we are looking at all of the attendant
7 issues, including the fiscal impact as well. So I'll just
8 leave that for the public comment at this point.

9 Okay. Any -- any other comments on this item?

10 Seeing and hearing none.

11 Okay. Ms. Lucchesi, what is our next order of
12 business?

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

15 CHAIRPERSON YEE: Okay. Very good.

16 So if anyone wishes to address the Commission on
17 any matter that is not on today's agenda, please raise
18 your hand and you will have three minutes to do so. And I
19 will turn to Katie to call on the first person who would
20 like to make a public comment.

21 ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP: Thank
22 you, Madam Chair. We have no hands raised to provide
23 public comment.

24 Okay. Very well. Thank you.

25 Do any of the commission -- that concludes our

1 second public comment period. Let me just turn to the
2 commissioners Kounalakis and Miller for any other
3 questions or comments at this time?

4 COMMISSIONER KOUNALAKIS: (Shakes head).

5 ACTING COMMISSIONER MILLER: (Shakes head).

6 CHAIRPERSON YEE: Okay. Seeing none.

7 Ms. Lucchesi, our next order of business.

8 EXECUTIVE OFFICER LUCCHESI: Our next order of
9 business is closed session. We will be conducting our
10 closed session by conference call.

11 CHAIRPERSON YEE: Okay.

12 EXECUTIVE OFFICER LUCCHESI: Commissioners,
13 please email me or call my cell phone if you need the
14 call-in information. It was transfer -- transmitted to
15 you a couple of days ago. And for the commissioners and
16 staff participating in closed session, upon adjournment,
17 please mute your microphone, turn off your webcam, and if
18 possible go into a different room. This will ensure the
19 confidentiality of our discussion.

20 CHAIRPERSON YEE: Very well. Thank you. We will
21 now adjourn into closed session. Thank you

22 (Off record: 2:41 p.m.)

23 (Thereupon the meeting recessed
24 into closed session.)

25 (Thereupon the meeting reconvened

1 open session.)

2 (On record: 3:35 p.m.)

3 CHAIRPERSON YEE: I call this meeting back to
4 order.

5 Ms. Lucchesi, is there anything to report from
6 closed session?

7 EXECUTIVE OFFICER LUCCHESI: No.

8 CHAIRPERSON YEE: Thank you.

9 That concludes the open meeting and seeing no
10 other business to come before the Commission, we are
11 adjourned.

12 Thank you very much, everyone.

13 (Thereupon the California State Lands
14 Commission meeting adjourned at 3:36 p.m.)

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CERTIFICATE OF REPORTER

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

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of November, 2022.

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