

MEETING  
STATE OF CALIFORNIA  
STATE LANDS COMMISSION

ZOOM PLATFORM

FRIDAY, APRIL 7, 2023  
1:30 P.M.

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

## APPEARANCES

### COMMISSION MEMBERS:

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

Malia Cohen, State Controller, also represented by Kristina Kunkel

Joe Stephenshaw, Director, Department of Finance, represented by Gayle Miller

### STAFF:

Jennifer Lucchesi, Executive Officer

Colin Connor, Assistant Executive Officer

Warren Crunk, Assistant Chief Counsel

Nate Dozier, Associate Governmental Program Analyst

Sheri Pemberton, Chief, External Affairs Division

Peter Regan, Assistant Chief, Mineral Resources Management Division

Yessica Ramirez, Environmental Justice and Tribal Liaison

Micaela Wiemer, Staff Attorney

### ATTORNEY GENERAL:

Andrew Vogel, Supervising Deputy Attorney General

### ALSO PRESENT:

Cynthia Arreguin Alvarez, Chief of Staff, Senator Lena Gonzalez

APPEARANCES CONTINUED

ALSO PRESENT:

Jan Victor Andasan, East Yard Communities for  
Environmental Justice

Brady Bradshaw, Center for Biological Diversity

Ann Cantrell, Sierra Club, Los Cerritos Wetlands Taskforce

Anna Christensen, Sierra Club, Los Cerritos Wetlands  
Taskforce

Sona Coffee, City of Long Beach

Bob Dowell, City of Long Beach, Energy Resources

Morgan Goodwin, Sierra Club

Indira

Nicole Levin, Sierra Club

David Marrett

Pete Marsh, Citizens' Climate Lobby

Paulo Pawaligan

Jeannine Pearce

Catherine Ronan

Victoria Bogdan Tejeda, Center for Biological Diversity

INDEX

PAGE

I	Open Session	1
II	Public Comment	5

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.

III	Confirmation of Minutes for the February 28, 2023 and March 24, 2023 meetings	6
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IV	Executive Officer's Report	7
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Continuation of Rent Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:

- No items for this section.

Tomales Bay Assignment Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:

- No items for this section.

V	Consent Calendar 01-65	8
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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	MICHAEL G. AKATIFF AND CHRISTY D. AKATIFF, TRUSTEES OF THE MICHAEL G. AKATIFF AND CHRISTY D. AKATIFF REVOCABLE LIVING TRUST; MARK R. GILMARTIN, TRUSTEE OF	
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INDEX CONTINUED

PAGE

- HE MARK R. GILMARTIN 2006 TRUST; HENRY F. TELFEIAN;  
AND ELIZABETH K. STAGE (LESSEE/APPLICANT): Consider  
amendment of Lease Number 8271, a General Lease -  
Recreational Use, of sovereign land located in Lake  
Tahoe, adjacent to 8778, 8780, 8782, and 8796 Brockway  
Vista Avenue, near Kings Beach, Placer County; for the  
installation, use, and maintenance of one additional  
mooring buoy. CEQA Consideration: categorical  
exemption. (Lease 8271; A3892; RA# 2022071) (A 1; S 1,  
4) (Staff: D. Romero)
- 02 LAURENCE L. AKIN AND KIM S. AKIN, AS TRUSTEES OF THE  
LAURENCE L. AKIN AND KIM S. AKIN TRUST AGREEMENT DATED  
NOVEMBER 29, 1993, AS AMENDED (APPLICANT): Consider  
application for a General Lease - Recreational Use, of  
sovereign land located in Lake Tahoe, adjacent to 3290  
Edgewater Drive, Tahoe City, Placer County; for one  
existing mooring buoy previously authorized by the  
Commission and one existing mooring buoy not  
previously authorized by the Commission. CEQA  
Consideration: categorical exemption. (Lease 7259;  
A2523; RA# 2019231) (A 1; S 1, 4) (Staff: J. Plovnick)
- 03 DENNIS J. ALTNOW AND LOIS ANN ALTNOW, CO-TRUSTEES OF  
THE DENNIS AND LOIS ALTNOW FAMILY TRUST DATED DECEMBER  
3, 1991; AND DONALD A. ALTNOW AND KATHERINE ANN  
ALTNOW, CO-TRUSTEES OF THE DONALD AND KATHERINE ALTNOW  
FAMILY TRUST, DATED DECEMBER 3, 1991 (APPLICANT):  
Consider application for a General Lease -  
Recreational Use, of sovereign land located in Lake  
Tahoe, adjacent to 3021 and 3023 Jameson Beach Road,  
South Lake Tahoe, El Dorado County; for an existing  
pier and two mooring buoys previously authorized by  
the Commission, and two existing mooring buoys not  
previously authorized by the Commission. CEQA  
Consideration: categorical exemption. (Lease 8404;  
A2533; RA# 2019250) (A 1; S 1, 4) (Staff: J. Plovnick)
- 04 RICHARD BOWLING, JR. AND KATHLEEN S. BOWLING, AS  
CO-TRUSTEES OF THE BOWLING REVOCABLE TRUST DATED  
DECEMBER 27, 1991 (APPLICANT): Consider application  
for a General Lease - Recreational Use, of sovereign  
land located in Lake Tahoe, adjacent to 4692 North  
Lake Boulevard, near Carnelian Bay, Placer County; for  
an existing pier, boat lift, and two mooring buoys.  
CEQA Consideration: categorical exemption. (Lease  
5318; A3938 RA# 2022216) (A 1; S 1, 4) (Staff: D.

INDEX CONTINUED

PAGE

omero)

- 05 THE CITY OF PETALUMA (APPLICANT): Consider application for a General Lease -Public Agency Use, of sovereign land located in the Petaluma River, adjacent to 6 Copeland Street, Petaluma, Sonoma County; for removal of an existing boat dock, and construction, use, and maintenance of a boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (A3872; RA# 2022194) (A 12; S 2, 3) (Staff: M. Waldo)
- 06 CITY OF WEST SACRAMENTO (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Sacramento River, adjacent to Assessor's Parcel No. 010-103-01, West Sacramento, Yolo County; for an existing concrete boat ramp, boat dock, two gangways, and two boarding floats with cable system related to the Broderick Boat Launch Facility, and bank protection. CEQA Consideration: categorical exemption. (Lease 4798; A3670; RA# 2021375) (A 4; S 3) (Staff: J. Holt)
- 07 CLHUBER LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; AND HUBER RUBICON LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8591 North Lane, near Rubicon, El Dorado County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2691; RA# 2019353) (A 1; S 1, 4) (Staff: L. Anderson)
- 08 COUNTY OF TEHAMA (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Sacramento River, adjacent to Gardiner Ferry Road, near Corning, Tehama County; for an existing bridge. CEQA Consideration: categorical exemption. (Lease 4709; A3206; RA# 2021068) (A 3; S 1) (Staff: J. Holt)
- 09 DAVID L. STRONG AND SHARON H. STRONG; DONALD L. STRONG AND KATHERINE MILLER STRONG; VIRGINIA MCAFEE NIX AND DAVID WILLIAM NIX, AS TRUSTEES OF THE NIX LIVING TRUST, DATED JULY 19, 2013; ROBERT KEITH MCAFEE, JR. AND JEANNETTE LOUISE MCAFEE; AND PETER KIRK MCAFEE AND DEBORAH KAY MCAFEE (LESSEE); RYAN CROWLEY AND NICOLE

INDEX CONTINUED

PAGE

- CROWLEY, AS TRUSTEES OF THE CROWLEY FAMILY LIVING TRUST, DATED SEPTEMBER 17TH, 2010 (APPLICANT): Consider termination of Lease Number PRC 9456, a General Lease - Recreational Use; and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3212 Edgewater Drive, near Tahoe City, Placer County; for one existing mooring buoy previously authorized by the Commission and installation, use and maintenance of one mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 9456; A2829; RA# 2020079) (A 1; S 1, 4) (Staff: D. Romero)
- 10 SCOTT EDMONDSON, MARK EDMONDSON, AND GREGG EDMONDSON, TRUSTEES OF THE EDMONDSON HERITAGE TRUST; AND KEVIN R. RAY AND LEE E. SEVISON (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5390 and 5394 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing joint-use pier, two boathouses, two boat lifts, and two mooring buoys previously authorized by the Commission, and one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 3310; A3854; RA# 2022116) (A 1; S 1, 4) (Staff: M. Waldo)
- 11 ERIK J. EPPINK, TRUSTEE OF THE ERIK J. EPPINK REVOCABLE TRUST DATED MARCH 18, 2009 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8523 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for the installation, use, and maintenance of two mooring buoys. CEQA Consideration: categorical exemption. (A3554; RA# 2021275) (A 1; S 1, 4) (Staff: D. Romero)
- 12 HEIDI E. GEMPERLE, ANITA MAHAFFEY, SUSAN A. ABDO, PETER E. GEMPERLE, RICHARD J. GEMPERLE, STEPHEN M. GEMPERLE AS INDIVIDUALS AND MICHAEL E. GEMPERLE AND KRISTI A. GEMPERLE, TRUSTEES, M & K GEMPERLE 2011 TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4560 North Lake Boulevard, Carnelian Bay Placer County; for replacement of an existing pier, installation of a boat lift, removal of

INDEX CONTINUED

PAGE

- an existing swim float, and use and maintenance of two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2656; RA# 2019330) (A 1; S 1, 4) (Staff: L. Anderson)
- 13 PETER REED HOFMANN, TRUSTEE OR SUCCESSOR TRUSTEE, PETER REED HOFMANN REVOCABLE LIVING TRUST DATED NOVEMBER 27, 2006, AND AMY LOU DIFFENDERFER, TRUSTEE OR SUCCESSOR TRUSTEE, AMY LOU DIFFENDERFER REVOCABLE LIVING TRUST DATED DECEMBER 17, 2012 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1700 North Lake Boulevard, near Tahoe City, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 7774; A3828; RA# 2022107) (A 1; S 1, 4) (Staff: M. Waldo)
- 14 BRYAN F. KELLY AND EMILY C. WHITE, CO-TRUSTEES OF THE KELLY-WHITE LIVING TRUST DATED DECEMBER 22, 2010 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8849 Rubicon Drive, near Meeks Bay, El Dorado County; for two existing mooring buoys and a low water anchor not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 7018; A3908; RA# 2022169) (A 1; S 1, 4) (Staff: L. Anderson)
- 15 MATTHEW KELLY, TRUSTEE OF THE JOHN M. KELLY REVOCABLE TRUST, DATED MARCH 31, 1997; JOHN M. KELLY JR., TRUSTEE OF THE JOHN M. KELLY, JR. 2022 TRUST DATED MAY 20, 2022; ELIZABETH K. D'AMBROSIA, TRUSTEE OF THE ELIZABETH K. D'AMBROSIA SEPARATE PROPERTY TRUST DATED APRIL 21, 2022; AND MATTHEW KELLY, TRUSTEE OF THE MATTHEW KELLY SEPARATE PROPERTY TRUST DATED APRIL 18, 2022 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3390 Edgewater Drive, near Tahoe City, Placer County; for an existing pier, boathouse with a boat lift, and two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 3346; A3808; RA# 2022090) (A 1; S 1, 4) (Staff: M. Waldo)



INDEX CONTINUED

PAGE

- 16 JAMES M. MCCLENAHAN AND MARGARET ANN MCCLENAHAN, TRUSTEES, OR THEIR SUCCESSORS IN INTEREST, OF THE JAMES AND MARGARET MCCLENAHAN FAMILY TRUST DATED FEBRUARY 22, 2001, AND ANY AMENDMENTS THERETO (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Donner Lake, adjacent to 15102 Point Drive, near Truckee, Nevada County; for an existing pier. CEQA Consideration: categorical exemption. (Lease 8504; A3921; RA# 2022177) (A 1; S 1, 4) (Staff: J. Plovnick)
- 17 LINDA NELSON DAVIS AND ROBERT WEBSTER, TRUSTEES OF THE LINDA NELSON DAVIS REVOCABLE TRUST NO. 2 U/A 9/22/1988, AS AMENDED 11/1/04 (LESSEE/APPLICANT): Consider acceptance of a lease quitclaim deed and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 80 Lassen Drive, near Tahoe City, Placer County; for one existing mooring buoy previously authorized, and installation of one proposed mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 8622, A3553; RA# 2021265) (A 1; S 1, 4) (Staff: L. Anderson)
- 18 MARK B. NELSON, TRUSTEE OF THE WILBORN CHILDREN'S TRUST AND LORIE L. WILBORN, TRUSTEE OF THE NELSON HERITAGE TRUST (LESSEE/APPLICANT): Consider amendment of Lease Number 5353, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4200 North Lake Boulevard, near Carnelian Bay, Placer County; for the addition of one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 5353; A3835; RA# 2022110) (A 1; S 1, 4) (Staff: M. Waldo)
- 19 NORTSHORE TOWNHOUSE ASSOCIATION (LESSEE/APPLICANT): Consider amendment of Lease Number 5296, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 100 Lassen Drive, near Tahoe City, Placer County; for the addition of six proposed mooring buoys. CEQA Consideration: categorical exemption. (Lease 5296; A3951; RA# 2022205) (A 1; S 1, 4) (Staff: J. Plovnick)
- 20 PEACH TREE TERRACE, A CALIFORNIA GENERAL PARTNERSHIP (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the

INDEX CONTINUED

PAGE

- Petaluma River, adjacent to 3357 Petaluma Boulevard South, near Petaluma, Sonoma County; for an existing pier and appurtenant facilities; walkway and appurtenant facilities; and 15 unattached pilings; removal of derelict foundation with support piles; and restoration of lease premises not previously authorized by the Commission. CEQA Consideration: categorical exemptions. (A2972; RA# 2020368) (A 12; S 2, 3) (Staff: M. Schroeder)
- 21 CAROLYN H. PETERS AND STEPHEN R. PETERS, AS CO-TRUSTEES OF THE PETERS SURVIVOR'S TRUST CREATED UNDER THE ROBERT W. PETERS AND CAROLYN H. PETERS 1992 TRUST, DATED JANUARY 10, 1992, AS AMENDED (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3220 Edgewater Drive, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 9037; A3922; RA# 2022184) (A 1; S 1, 4) (Staff: D. Romero)
- 22 JAMES HAROLD RICHARDSON, IV AND KIMBERLY PAULSON RICHARDSON, TRUSTEES OF THE 2006 RESTATEMENT OF THE RICHARDSON FAMILY TRUST DATED JULY 26, 2006 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3280 Edgewater Drive, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 9100; A3900; RA# 2022164) (A 1; S 1, 4) (Staff: D. Romero)
- 23 RUBICON TAHOE OWNERS, INC. (LESSEE): Consider amendment of Lease Number 5676, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to Assessor's Parcel Numbers 016-142-011 and 016-221-006, near Rubicon Bay, El Dorado County; for a rental adjustment. CEQA Consideration: not a project. (Lease 5676; A3946; RA# 2022199) (A 1; S 1, 4) (Staff: M. Waldo)
- 24 SIERRA 1644 REAL PROPERTY HOLDINGS LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5340 North Lake Boulevard, near Carnelian Bay, Placer

INDEX CONTINUED

PAGE

- County; for an existing pier, boat lift, and one mooring buoy. CEQA Consideration: categorical exemption. (Lease 7167; A3944; RA# 2022200) (A 1; S 1, 4) (Staff: J. Plovnick)
- 25 SPALDING COMMUNITY SERVICE DISTRICT (LESSEE): Consider revision of rent to Lease No. PRC 8155, a General Lease - Commercial Use, of sovereign land located in Eagle Lake, near Susanville, Lassen County; for a marina, known as Spalding Marina. CEQA Consideration: not a project. (PRC 8155) (A 1; S 1) (Staff: V. Caldwell)
- 26 ERIC P. WENTE, TRUSTEE OF THE CHRISTINE AND ROLAND VON METZSCH 2012 IRREVOCABLE TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2220 Sunnyside Lane, near Tahoe City, Placer County; for an existing pier, boathouse, two boat lifts, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 5598; A3770; RA# 2022051) (A 1; S 1, 4) (Staff: M. Waldo)
- 27 MARLENE WEIBEL, AS TRUSTEE IN TRUST OF THE SOUTH LAKE TAHOE PROPERTY TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3075 Jameson Beach Road, near South Lake Tahoe, El Dorado County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2098; RA# 28818) (A 5; S 1, 4) (Staff: M. Waldo)
- 28 JANET KATHARINE LALLY, TRUSTEE OF THE JANET K. LALLY SURVIVORS TRUST CREATED UNDER THE THOMAS AND JANET LALLY FAMILY TRUST DATED APRIL 3, 1989; JOHN W. STRICKLEY AND JENNIFER H. STRICKLEY, TRUSTEES OF THE STRICKLEY FAMILY TRUST DATED FEBRUARY 19, 2004; STEVEN RANDALL STRICKLEY, TRUSTEE OF THE RUTH AMY FRANKEL AND STEVEN R. STRICKLEY TRUST DATED NOVEMBER 6, 2008; JOHN J. WELSH AND KATHARINE K. WELSH, TRUSTEES OF THE JOHN J. WELSH AND KATHARINE K. WELSH REVOCABLE LIVING TRUST, DATED JULY 13, 2022; AND JULIE K. DUNLAP AND MERRIT W. DUNLAP, TRUSTEES OF THE DUNLAP FAMILY TRUST, DATED JUNE 8, 2005 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8221 Meeks Bay

INDEX CONTINUED

PAGE

Avenue, near Meeks Bay, El Dorado County; for an existing pier and one mooring buoy. CEQA Consideration: categorical exemption. (Lease 8451; A3887; RA# 2022167) (A 1; S 1, 4) (Staff: L. Ward)

Bay/Delta Region

- 29 CITY OF OAKDALE (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Stanislaus River, adjacent to Kerr Park at 840 North Stearns Road, Oakdale, Stanislaus County; for restoration and rehabilitation of the bed of the Stanislaus River channel and floodplain to improve wildlife and aquatic habitats. CEQA Consideration: Mitigated Negative Declaration, adopted by the City of Oakdale, State Clearinghouse No. 2022120684, and adoption of a Mitigation Monitoring Program. (A3885; RA# 2022159) (A 9; S 4) (Staff: J. Holt)
- 30 STEVEN CODOG (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Calaveras River, adjacent to 2725 Calariva Drive, Stockton, San Joaquin County; for an existing boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 7015; A3914; RA# 2022172) (A 13; S 5) (Staff: J. Plovnick)
- 31 CPN PIPELINE COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in the Sacramento River, between Brannan Island and the Montezuma Hills, near Rio Vista, Sacramento and Solano Counties; for an existing natural gas pipeline. CEQA Consideration: categorical exemption. (Lease 8450; A3077; RA# 2020403) (A 11; S 3) (Staff: M. Schroeder)
- 32 EAST BAY REGIONAL PARK DISTRICT (LESSEE/APPLICANT): Consider amendment of Lease Number PRC 5617, a General Lease - Public Agency Use, of sovereign land located in San Francisco Bay, adjacent to Assessor's Parcel Number 561-010-006, near Richmond, Contra Costa County; for removal of the deteriorating portions of the Ferry Point Pier; and use and maintenance of the existing fishing pier, gantry, and gantry support structure as part of the Ferry Point Pier Removal Project. CEQA Consideration: categorical exemption. (PRC 5617; A3965; RA#2022233) (A 14, 15; S 7, 9)

INDEX CONTINUED

PAGE

(Staff: J. Toy)

- 33 GEORGIA-PACIFIC GYPSUM, LLC, A DELAWARE LIMITED LIABILITY COMPANY (LESSEE/APPLICANT): Consider acceptance of a Lease Quitclaim Deed for Lease Number PRC 1589, a General Lease - Industrial Use; and application for a General Lease - Industrial Use, of filled and unfilled sovereign land located in the San Joaquin River, adjacent to 801 Minaker Drive, Antioch, Contra Costa County; for existing industrial docking and offloading facilities and ancillary improvements previously authorized by the Commission; and removal, relocation, and installation of industrial wharf components with ancillary facilities. CEQA Consideration: categorical exemptions. (Lease 1589; A3706; RA# 2022040) (A 15; S 7) (Staff: G. Asimakopoulos)
- 34 IAN HODDER (LESSEE); KRISH SEETAH AND SASA CAVAL (APPLICANT): Consider termination of Lease 9459, a General Lease - Recreational Use and issuance of a General Lease - Recreational Use, of sovereign land located in Tomales Bay, adjacent to 19225 Highway 1, near Marshall, Marin County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (Lease 9459; A3959; RA# 2022232) (A 12; S 2) (Staff: J. Plovnick)
- 35 NAUTILUS DATA TECHNOLOGIES, INC., A DELAWARE CORPORATION (LESSEE/APPLICANT); STOCKTON PACE 2023-1 LLC, A DELAWARE LIMITED LIABILITY COMPANY (FINANCING PROVIDER): Consider termination of an Agreement and Consent to Encumbrance of Lease, and authorization of an Agreement and Consent to Encumbrance of Lease 9510, a General Lease - Industrial Use, of proprietary land located in the San Joaquin River, adjacent to Assessor's Parcel Number 162-030-07, near Rough and Ready Island, Stockton, San Joaquin County; for an existing barge-mounted, water-cooled data center. CEQA Consideration: not a project. (PRC 9510; A3918; RA# 2022182) (A 13; S 5) (Staff: G. Asimakopoulos)
- 36 PACIFIC GAS AND ELECTRIC COMPANY (LESSEE): Consider amendment to Lease 9695, a General Lease - Right-of-Way and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 7895 State Highway 20, near Meridian,

INDEX CONTINUED

PAGE

- Colusa, and Sutter Counties; to convert the lease to a General Lease - Right-of-Way Use and modify the Lease Provisions. CEQA Consideration: not a project. (Lease 9695; RA# 2021105) (A 4; S 1) (Staff: M. Schroeder)
- 37 PAUL D. PION AND CARLA L. PION, AS TRUSTEES OF THE PAUL D. PION AND CARLA L. PION REVOCABLE TRUST DATED NOVEMBER 8, 2006 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 4537 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 7197; A3295; RA#2021102) (A 6; S 8) (Staff: S. Avila)
- 38 RECLAMATION DISTRICT 2074 (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located along the south bank of Fourteen Mile Slough between Ten Mile Slough and I-5 Freeway Bridge crossing, Stockton, San Joaquin County; for bank protection. CEQA Consideration: categorical exemption. (Lease 7673; A3153; RA# 2021486) (A 13; S 5) (Staff: M. Schroeder)
- 39 JONATHAN RITTENBACH (APPLICANT): Consider waiver of rent, penalty and interest; and application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 17484 Grand Island Road, near Walnut Grove, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 3231; A3131; RA#2021059) (A 9; S 3) (Staff: S. Avila)
- 40 SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the American River, adjacent to Assessor's Parcel Numbers 075-0370-037 and 289-0340-025, near Rancho Cordova, Sacramento County; for an existing non-operational effluent pipeline. CEQA Consideration: categorical exemption. (Lease 4075; A3648; RA# 2021349) (A 6; S 8) (Staff: M. Schroeder)
- 41 JEAN L. SCOTT AND JAMES C. ROSS, AS TRUSTEES OF THE

INDEX CONTINUED

PAGE

- JEAN L. SCOTT & JAMES C. ROSS LIVING TRUST DATED JUNE 19, 2017 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 2331 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock with slip and appurtenant facilities and bank protection. CEQA Consideration: categorical exemption. (Lease 5901, A3360; RA# 2021282) (A 6; S 8) (Staff: L. Anderson)
- 42 FRANK E. SILVA, JR. AND ANGELA M. SILVA, CO-TRUSTEES, OR THEIR SUCCESSOR(S) IN TRUST, UNDER THE FRANK E. SILVA, JR. AND ANGELA M. SILVA REVOCABLE LIVING TRUST, DATED SEPTEMBER 13, 2013 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 17364 Grand Island Road, near Isleton, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 4809; A3823; RA# 2022181) (A 9; S 3) (Staff: S. Avila)
- 43 JILL STEINBACHER AND MICHAEL STEINBACHER (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 13201 River Road, near Walnut Grove, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 9035; A3646; RA# 2022150) (A 9; S 3) (Staff: S. Avila)
- 44 CALEB COUNTS (LESSEE); DENNIS STEPHAN JR. AND KYLA STEPHAN (APPLICANT): Consider acceptance of a lease quitclaim deed and issuance of a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 3083 Garden Highway, Sacramento, Sacramento County; for two existing three-pile wood dolphins and 32 wood pilings. CEQA Consideration: categorical exemption. (Lease 5347; A3780; RA# 2022222) (A 6; S 8) (Staff: J. Plovnick)
- 45 URSULA WERTZ, SOLE TRUSTEE OF THE WERTZ FAMILY EXEMPTION TRUST, DATED OCTOBER 25, 1989; URSULA WERTZ, SOLE TRUSTEE OF THE WERTZ FAMILY SURVIVORS TRUST;

INDEX CONTINUED

PAGE

URSULA WERTZ, TRUSTEE OF THE THOMAS WERTZ EXEMPTION TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 37 Boardwalk One, Larkspur, Marin County; for an existing boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 6354; A3335; RA# 2021239) (A 12; S 2) (Staff: L. Anderson)

Central/Southern Region

- 46 THE ABALONE FARM, INC., A CALIFORNIA CORPORATION (LESSEE/ASSIGNOR); HARMONY COAST AQUACULTURE INSTITUTE, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION (APPLICANT/ASSIGNEE): Consider assignment of Lease Number 7326, a General Lease - Right-of-Way Use, of sovereign land located in the Pacific Ocean, adjacent to Assessor's Parcel Number 046-151-009, near Cayucos, San Luis Obispo County; for five existing ocean saltwater intake pipelines. CEQA Consideration: not a project. (Lease 7326; A3656; RA# 2021369) (A 30; S 17) (Staff: G. Asimakopoulos)
- 47 CATALINA ISLAND CAMPS, INC. (APPLICANT): Consider application for a General Lease - Commercial Use, of sovereign land located in the Pacific Ocean at Howland's Landing, Santa Catalina Island, Los Angeles County; for an existing fixed pier, two gangways, three floating boat dock segments, a seasonal swim area, floating swim platform, a mooring stringline, and one individual mooring. CEQA Consideration: categorical exemption. (Lease 6455; RA# 2022158) (A 69; S 24) (Staff: K. Connor)
- 48 NATHAN CHEN AND JENNIE CHEN, TRUSTEES OF THE NATHAN CHEN FAMILY TRUST (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16641 Carousel Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, cantilevered deck, and bulkhead protection. CEQA Consideration: categorical exemption. (Lease 8237; A3945; RA# 2022201) (A 72; S 36) (Staff: J. Plovnick)
- 49 CITY OF SAN BUENAVENTURA (APPLICANT): Consider application for a General Lease - Public Agency Use,



INDEX CONTINUED

PAGE

- of sovereign land located in the Pacific Ocean, near the City of San Buenaventura, adjacent to Marina Park, Ventura County; for the construction, operation, and maintenance of one 20-inch-diameter outfall pipeline and diffuser with a protective rock revetment cover and concrete ballast weights. CEQA Consideration: Environmental Impact Report, certified by the City of San Buenaventura, State Clearinghouse No. 2017111004, and Addendum, and adoption of a Mitigation Monitoring Program, Statement of Findings and Statement of Overriding Considerations. (A3712; RA# 2022050) (A 38; S 19) (Staff: K. Connor)
- 50 COUNTY OF STANISLAUS AND COUNTY OF MERCED (LESSEE/APPLICANT): Consider termination of Lease Number PRC 2563, a General Lease - Public Agency Use; and application for a General Lease - Public Agency Use, of sovereign land located in the San Joaquin River, near Newman, adjacent to Assessor's Parcel Numbers 049-037-002 and -003 in Stanislaus County and Assessor's Parcel Numbers 045-280-011 and -012 in Merced County; for the construction, use, and maintenance of a new bridge, known as the Hills Ferry Road Bridge; use of a temporary construction easement; temporary use and maintenance of the existing Hills Ferry Road Bridge (Bridge No. 39C-0001); and the demolition and removal of the existing bridge and concrete piers. CEQA Consideration: Mitigated Negative Declaration, adopted by Stanislaus County, State Clearinghouse No. 2020100593, and adoption of a Mitigation Monitoring Program. (Lease 2563; A3784; RA# 2022079) (A 22; S 4) (Staff: J. Toy)
- 51 DRT, INVESTMENTS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16862 Coral Cay Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: categorical exemption. (Lease 5811; A3368; RA# 2021267) (A 72; S 36) (Staff: L. Ward)
- 52 EMERALD BAY COMMUNITY ASSOCIATION (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Pacific Ocean, Gulf of Santa Catalina, at Emerald Bay,

INDEX CONTINUED

PAGE

- adjacent to 600 Emerald Bay, Laguna Beach, Orange County; for seven existing seasonal marker buoys and three existing seasonal swimmer safety lines. CEQA Consideration: categorical exemption. (Lease 4513; A3718; RA# 2022151) (A 72; S 36, 37) (Staff: J. Plovnick)
- 53    MERCED IRRIGATION DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in Merced River, adjacent to Assessor's Parcel Numbers 043-080-007, -008 (Cowell 1 Site); 042-240-021, -012 (Cowell 2 Site); and 043-020-023, 043-050-015 (Cuneo Site), near Snelling, Merced County; for grading and placement of gravel, cobble, and fish screens, as part of the Merced River Agricultural Diversion and Fish Habitat Enhancement Project. CEQA Consideration: Mitigated Negative Declaration, adopted by the Merced Irrigation District, State Clearinghouse No. 2022010622, and adoption of a Mitigation Monitoring Program. (A3897; RA# 2022165) (A 22; S 4) (Staff: J. Toy)
- 54    SIMON B. RAYHANABAD AND KELARICE RAYHANABAD, AS CO-TRUSTEES OF THE SIMON B. RAYHANABAD AND KELARICE RAYHANABAD TRUST, ESTABLISHED MARCH 9, 1995 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16591 Carousel Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, cantilevered deck, and bulkhead protection. CEQA Consideration: categorical exemption. (Lease 3578; A3909; RA# 2022195) (A 72; S 36) (Staff: J. Plovnick)
- 55    SOUTHERN CALIFORNIA EDISON COMPANY (APPLICANT): Consider application for a General Lease - Industrial Use, of sovereign land located in the Pacific Ocean, near the southeast coast of Santa Catalina Island, Los Angeles County; for two source saltwater wells, buried water pipeline and electrical conduit, two well heads on concrete pads, a fence, and the improvement and enhancement of a portion of a rock rip rap revetment. CEQA Consideration: categorical exemptions. (Lease 8330; RA# 2021322) (A 69; S 24) (Staff: D. Simpkin)

INDEX CONTINUED

PAGE

- 56 KENNETH M. WALKER AND TAMI L. WALKER, TRUSTEES OF THE KENNETH M. AND TAMI L. WALKER FAMILY TRUST DATED OCTOBER 14, 2003 (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign land located in the Pacific Ocean, adjacent to 3398 Pacific Coast Highway, San Buenaventura, Ventura County; for an existing concrete seawall with a wave deflection cap. CEQA Consideration: categorical exemption. (Lease 8126; RA# 2022137) (A 38; S 19) (Staff: K. Connor)

School Lands

- 57 AT&T CORP., A WHOLLY-OWNED SUBSIDIARY OF SBC COMMUNICATIONS, INC. (LESSEE): Consider revision of rent to Lease Number PRC 7202, a General Lease - Right-of-Way Use, of State school land located in a portion of Section 36, Township 18 North, Range 16 East, MBM, near Truckee, Nevada County; for a fiber optic communication cable. CEQA Consideration: not a project. (PRC 7202) (A 1; S 1) (Staff: V. Caldwell)
- 58 CALPORTLAND COMPANY (LESSEE): Consider amendment of Lease 9504, a General Lease - Right-of-Way Use, of State-owned school land located in the East of the Northwest  $\frac{1}{4}$  of Section 36, Township 10 North, Range 13 West, SBM, northwest of Rosamond, Kern County; to widen an existing unpaved access road. CEQA Consideration: Environmental Impact Report, certified by Kern County, State Clearinghouse No. 2021110076, and adoption of a Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (Lease 9504; RA# 2019201) (A 34, 36; S 12, 16) (Staff: D. Simpkin)
- 59 KARUK TRIBE (APPLICANT): Consider application for a General Lease - Right-of-Way Use, on State-owned indemnity school lands, in a portion of section 28, T9N, R3E, HM along Bald Hills Road, located between Weitchpec and Orick, Humboldt County; for installation, operation, and maintenance of two fiber optic cables. CEQA Consideration: Mitigated Negative Declaration, adopted by the California Public Utilities Commission, State Clearinghouse No. 2022060515, and adoption of a Mitigation Monitoring Program. (A3459; RA# 2021212) (A 2; S 2) (Staff: D. Simpkin)

INDEX CONTINUED

PAGE

- 60 MP MINE OPERATIONS, LLC (LESSEE): Consider revision of rent to Lease Number PRC 6375, a General Lease - Right-of-Way Use, of State school land located in a portion of Section 16, Township 16 North, Range 13 East, SBM, near Mountain Pass, San Bernardino County; for a buried potable water transportation line. CEQA Consideration: not a project. (PRC 6375) (A 34; S 19) (Staff: V. Caldwell)
- 61 SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE): Consider revision of rent to Lease Number PRC 4511, a General Lease - Right-of-Way Use, of State school land located in a portion of Section 16, Township 24 South, Range 38 East, MBM, near Little Lake, Inyo County; for an overhead distribution line, five wood poles, and three steel towers. CEQA Consideration: not a project. (PRC 4511) (A 8; S 4) (Staff: V. Caldwell)
- 62 SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE): Consider revision of rent to Lease Number PRC 9093, a General Lease - Right of Way Use, of State school land located in a portion of Section 16, Township 24 South, Range 38 East, MBM, near Little Lake, Inyo County; for an overhead transmission line and four steel towers. CEQA Consideration: not a project. (PRC 9093) (A 8; S 4) (Staff: V. Caldwell)

Mineral Resources Management

- 63 CITY OF LONG BEACH (GRANTEE): Consider approval of subsidence monitoring costs for vertical measurements and studies for the 2023-2024 Fiscal Year, City of Long Beach, Los Angeles County. CEQA Consideration: categorical exemption. (W 10443) (A 70; S 33, 34) (Staff: H. Rassamdana)
- 64 CITY OF LONG BEACH (GRANTEE): Consider acceptance of the First Modification and Supplement of the Long Beach Unit Annual Plan (July 1, 2022, through June 30, 2023), Long Beach Unit, Wilmington Oil Field, Los Angeles County. CEQA Consideration: not a project. (W 17166) (A 70; S 33, 34) (Staff: J. Abedi)

95

Marine Environmental Protection

- No items for this section.

INDEX CONTINUED

PAGE

Administration

- See Regular Calendar.

Legal

- 65 CALIFORNIA STATE LANDS COMMISSION; CALIFORNIA DEPARTMENT OF WATER RESOURCES (PARTIES): Consider rescission of authorizations to accept a Transfer of Jurisdiction and to enter into a Memorandum of Agreement with the California Department of Water Resources related to a proposed carbon capture and sequestration project on state-owned lands at Sherman Island, Sacramento County. CEQA Consideration: not a project. (A 11; S 3) (Staff: A. Kershen, D. Simpkin)

Kapiloff Land Bank Trust Acquisition/Expenditure

- No items for this section.

External Affairs

Granted Lands

- No items for this section.

VI Informational Calendar 66

- 66 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)

VII Regular Calendar 67-71

- 67 CALIFORNIA STATE LANDS COMMISSION: Discussion and possible action on state legislation relevant to the California State Lands Commission. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton)

10

INDEX CONTINUED

PAGE

68	CALIFORNIA STATE LANDS COMMISSION: Consider Supporting H.R. 1452 introduced in the 118th Congress by Representative Garamendi, legislation that would require the United States Coast Guard to release ballast water treatment system type approval data to any State, the District of Columbia, or United States territory upon request. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton)	13
69	CALIFORNIA STATE LANDS COMMISSION: Consider supporting AB 655 (Petrie-Norris), which would prohibit a person from selling, possessing, importing, transporting, transferring, releasing alive in the state, or giving away without consideration, all salt water algae of the genus Caulerpa, except possession for bona fide scientific research. CEQA Consideration: not a project. (A & S Statewide). (Staff: S. Pemberton)	18
70	CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider authorizing the Executive Officer or her designee to enter into cooperative agreements with cities, counties, and other state or local governments, departments, or entities to address situations and concerns related to the unhoused on State-owned sovereign or school lands. CEQA Consideration: not a project. (A & S: Statewide) (Staff: Y. Ramirez, C. Connor)	25
71	CITY OF LONG BEACH (GRANTEE): Consider acceptance of the Long Beach Unit Program Plan (July 1, 2023, through June 30, 2028), and the Annual Plan (July 1, 2023, through June 30, 2024), Long Beach Unit, Wilmington Oil Field, Los Angeles County. CEQA Consideration: not a project. (W 17166) (A 70; S 33, 34) (Staff: J. Abedi)	35
VIII	Public Comment	101
IX	Commissioners' Comment	102
X	Closed Session	103

At any time during the meeting the Commission may meet in a session of Government Code section

INDEX CONTINUED

PAGE

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 v. 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.
- 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

INDEX CONTINUED

PAGE

- 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 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, 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



INDEX CONTINUED

PAGE

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)

Adjournment	104
Reporter's Certificate	105

PROCEEDINGS

CHAIRPERSON KOUNALAKIS: Hello, everyone. I call this meeting of the State Lands Commission to order. I am Lieutenant Governor Eleni Kounalakis. Welcome to our completely virtual State Lands Commission meeting.

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

EXECUTIVE OFFICER LUCCHESI: Certainly. Good afternoon.

State Controller Malia Cohen?

COMMISSIONER COHEN: Present.

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

ACTING COMMISSIONER MILLER: Here.

EXECUTIVE OFFICER LUCCHESI: Chair and Lieutenant Governor Eleni Kounalakis?

CHAIRPERSON KOUNALAKIS: Present.

EXECUTIVE OFFICER LUCCHESI: Madam Chair, we have a quorum present. In addition, I would like to identify members of the staff of the Commission and the Attorney General present for this virtual meeting. I am Executive Officer Jennifer Lucchesi. I am joined by Assistant Chief Counsel Warren Crunk, Supervising Deputy Attorney General Andrew Vogel, meeting liaison Kim Lunetta, Assistant Executive Officer Colin Connor, and our Zoom co-hosts Mike

1 Farinha and Nate Dozier.

2 Back to you.

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

14 I want to take a moment to honor the California  
15 Native American communities all across the state for  
16 persisting, carrying on diverse cultural and linguistic  
17 traditions, and sustainably managing the land that we now  
18 share. Native people have maintained a constant presence  
19 on the landscape for many thousands of years and they are  
20 essential stewardship partners whether along the coast,  
21 along our rivers and valleys, or in our fragile deserts.  
22 We thank California Native American communities for  
23 participating in this Commission's activities and for  
24 their essential role in maintaining and adding to our  
25 State's rich, cultural legacy.

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

9           Ms. Lucchesi.

10           EXECUTIVE OFFICER LUCCHESI: Thank you, Chair  
11 Kounalakis. First, everyone, please make sure you have  
12 your microphones or phones muted to avoid background  
13 noise. For members of the public, if you would like to  
14 speak either during our open public comment period or  
15 during a public comment period that is part of an agenda  
16 item, you will need to do so in one of two ways. First,  
17 if you are attending on the Zoom platform, please raise  
18 your hand in Zoom. If you are new to Zoom and you joined  
19 our meeting using the Zoom application, click on the hand  
20 icon at the bottom of your screen. When you click on that  
21 hand, it will raise your hand.

22           Second, if you are joining our meeting by phone,  
23 you must press star nine on your keypad to raise your hand  
24 to make a comment. If you are calling in and want to view  
25 the meeting, including our PowerPoint presentations,

1 please view the meeting through the CAL-SPAN live webcast  
2 link. There will be a slight time delay, but it will  
3 avoid an echo or feedback from using the Zoom application  
4 and your phone.

5           If you emailed us with a request to speak, please  
6 also raise your hand, so we don't inadvertently miss you.  
7 We will call on individuals who have raised their hands in  
8 the order that they are raised using the name they  
9 registered with or the last three digits of their  
10 identifying phone number. After you are called on, you  
11 will be unmuted, so you can share your comments. Please  
12 also remember to unmute your computer or phone and  
13 identify yourself. Remember, you have limit of three  
14 minutes to speak on an item. Please keep your comments  
15 respectful and focused. We will mute anyone who fails to  
16 follow those guidelines or at worst dismiss them from the  
17 meeting.

18           And finally, every now and then, you will hear me  
19 refer to the meeting host. Our Commission staff are  
20 acting as hosts for the meeting behind the scenes to  
21 ensure that the technology moves the meeting forward  
22 smoothly and consistently. Our Commission has also  
23 established an email address to compile public comments  
24 for our meetings. Its address is  
25 [cslc.commissionmeetings@slc.ca.gov](mailto:cslc.commissionmeetings@slc.ca.gov). We have received

1 various emails from parties that have been shared with all  
2 the commissioners prior to the meeting. If we receive any  
3 emails during the meeting, they will be shared with the  
4 commissioners and be made available on our website along  
5 with the public comment letters and emails we have already  
6 received.

7 Chair Kounalakis, that concludes my virtual  
8 meeting instructions and we are ready to move to the  
9 general public comment period.

10 CHAIRPERSON KOUNALAKIS: Thank you.

11 Our next order of business is the public comment  
12 period. If anyone would like to address the Commission on  
13 any matter not on today's agenda, you'll have three  
14 minutes to provide your comments. Nate, please call on  
15 the first person who would like to make a public comment.

16 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

17 Thank you, Madam Chair. Our first public comment  
18 comes from Dawny'all Heydari.

19 Dawny'all, if you could raise your Zoom hand for  
20 us, we can identify you.

21 Madam Chair, not seeing Dawny'all's hand, I think  
22 that ends our public comment period for this time.

23 CHAIRPERSON KOUNALAKIS: Oh, okay.

24 So if the person who had signed up to speak comes  
25 on, is there another opportunity later?

1           Yeah.

2           EXECUTIVE OFFICER LUCCHESI: Yes, we have a  
3 second public comment period at the end of our meeting.

4           CHAIRPERSON KOUNALAKIS: Thank you.

5           The next item of business will be the adoption of  
6 the minutes from the Commission's meetings of February  
7 28th, 2023 and March 24th, 2023.

8           Commissioner Cohen, do you have any comments or  
9 questions?

10          COMMISSIONER COHEN: Thank you very much,  
11 Lieutenant Governor. I appreciate you. I don't have any  
12 comments or questions at this time.

13          CHAIRPERSON KOUNALAKIS: Thank you.

14          Commissioner Miller, do you have any comments or  
15 questions?

16          ACTING COMMISSIONER MILLER: No, no questions.  
17 Thank you.

18          CHAIRPERSON KOUNALAKIS: Nate, do we have any  
19 public comments on this issue?

20          May I have a motion to approve the minutes and a  
21 second.

22          ACTING COMMISSIONER MILLER: I'll move approval  
23 of the minutes.

24          COMMISSIONER COHEN: And I'll second.

25          CHAIRPERSON KOUNALAKIS: Commissioners, please

1 raise your hand in Zoom, if you'd like -- oh, you've done  
2 it. Okay. Made a motion and a second.

3 So did I see the motion is from Commissioner  
4 Miller and the second from Commissioner Cohen?

5 Ms. Lucchesi, could you please conduct a roll  
6 call vote?

7 EXECUTIVE OFFICER LUCCHESI: Certainly.  
8 Commissioner Cohen?

9 COMMISSIONER COHEN: Aye.

10 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

11 ACTING COMMISSIONER MILLER: Aye.

12 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

13 COMMISSIONER KOUNALAKIS: Aye.

14 EXECUTIVE OFFICER LUCCHESI: The motion passes  
15 unanimously.

16 CHAIRPERSON KOUNALAKIS: Thank you. The next  
17 order of business is the Executive Officer's report. Ms.  
18 Lucchesi, may we please have your report.

19 EXECUTIVE OFFICER LUCCHESI: Yeah. For this  
20 meeting, I do not have an Executive Officer's report. We  
21 just met less than three weeks ago for our last regular  
22 meeting and our next meeting will be June 5th where I will  
23 provide a very comprehensive Executive Officer's report at  
24 that time.

25 CHAIRPERSON KOUNALAKIS: Okay.



1           Commissioners, do you have any questions or  
2 comments.

3           ACTING COMMISSIONER MILLER: (Shakes head).

4           CHAIRPERSON KOUNALAKIS: The next order of  
5 business will be the adoption of the consent calendar.  
6 Commissioner Cohen, Commissioner Miller, are there any  
7 items that you would like removed from the consent  
8 calendar?

9           COMMISSIONER COHEN: I have no items that I'd  
10 like to see removed.

11          CHAIRPERSON KOUNALAKIS: Thank you.

12          Ms. Lucchesi, would you please indicate which  
13 items, if any, have been removed from the consent  
14 calendar.

15          EXECUTIVE OFFICER LUCCHESI: Certainly. Consent  
16 items 6, 14, 18, 33, and 55 are removed from the agenda  
17 and will be considered at a later time. Consent items 49  
18 and 63 are moved from the consent agenda to the regular  
19 agenda, because we have received requests to speak on  
20 those items.

21          CHAIRPERSON KOUNALAKIS: Thank you.

22          Is there anyone joining us who wishes to speak  
23 on, I guess, on 49 or we'll take those later?

24          EXECUTIVE OFFICER LUCCHESI: We'll take those  
25 later.

1 CHAIRPERSON KOUNALAKIS: Okay. So on any of the  
2 items that are still on the consent calendar, is there  
3 anyone -- any member of the public who would like to  
4 speak? If so, please raise your Zoom hand or dial star  
5 nine if joining by phone now.

6 Nate, has anyone asked to speak on any of the  
7 items on the consent calendar?

8 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

9 Madam Chair, we have no speakers for those items.

10 CHAIRPERSON KOUNALAKIS: Okay. We will now  
11 proceed with the vote. May I have a motion to adopt the  
12 consent agenda and a second.

13 ACTING COMMISSIONER MILLER: I'll move approval  
14 to adopt the consent agenda.

15 COMMISSIONER COHEN: Second.

16 CHAIRPERSON KOUNALAKIS: Thank you.

17 We have a motion from Commissioner Miller and a  
18 second from Commissioner Cohen.

19 Ms. Lucchesi, please conduct a roll call vote.

20 EXECUTIVE OFFICER LUCCHESI: Certainly.

21 Commissioner Cohen?

22 COMMISSIONER COHEN: Aye.

23 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

24 ACTING COMMISSIONER MILLER: Aye.

25 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

1 CHAIRPERSON KOUNALAKIS: Aye.

2 EXECUTIVE OFFICER LUCCHESI: The motion passes  
3 unanimously.

4 CHAIRPERSON KOUNALAKIS: The next order of  
5 business will be the regular calendar. Item 67 is to  
6 discuss and potentially take action on legislation  
7 relevant to the California State Lands Commission. May we  
8 please have the presentation?

9 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.  
10 Thank you, Madam Chair and Commissioners. This item is a  
11 brief informational update about State legislation of  
12 interest to the Commission. I'm pleased to report that  
13 the Assembly Natural Resources Committee recently approved  
14 AB 706 by Assemblymember Luz Rivas, legislation the  
15 Commission is sponsoring to update its mineral permit and  
16 leasing statutes. The bill is now in the Assembly  
17 Appropriations Committee.

18 The Commission is co-sponsoring AB 1706 by  
19 Assemblymember Bonta, which authorizes the Commission to  
20 transfer land to the City of Alameda that it will acquire  
21 in the coming years as a result of a recent land exchange  
22 agreement that will facilitate much needed housing and  
23 open space on the City's northern waterfront. The  
24 Assembly Natural Resources Committee will hear AB 1706 in  
25 the coming weeks.

1 I wanted to also highlight a trio of offshore  
2 wind energy spot bills that were recently amended with  
3 substantive language that will involve the Commission,  
4 including SB 286 by Majority Leader McGuire, which, among  
5 other things, will designate the State Lands Commission as  
6 the CEQA lead for offshore wind energy projects and AB 80  
7 by Assembly Member Addis which will require the Ocean  
8 Protection Council to establish and oversee a west coast  
9 offshore wind science entity to ensure that comprehensive  
10 baseline monitoring of our ocean ecosystem and targeted  
11 research are available and used to inform State and  
12 federal decisions about offshore wind development in  
13 federal waters and the management of any impacted marine  
14 resources.

15 The third offshore wind energy bill is AB 3 by  
16 Assemblymember Zbur that would require the Energy  
17 Commission, in collaboration with other agencies including  
18 the State Lands Commission, to prepare a report to the  
19 Governor and Legislature about procurement mechanisms and  
20 strategies for offshore wind energy projects to be  
21 financed, entitled, construction -- constructed and  
22 operated within the time frames necessary to meet our  
23 carbon neutrality goals. The bill would also require the  
24 Energy Commission, in consultation with the State Lands  
25 Commission, to develop a second-phase plan and strategy

1 for seaport readiness to support offshore wind in  
2 California.

3 The last bill I wanted to highlight in this  
4 presentation is SB 273 by Senator Scott Wiener, a bill  
5 sponsored by the City and County of San Francisco that  
6 authorizes the Commission to approve a mixed use  
7 development on piers 30 and 32 along the San Francisco  
8 waterfront if the Commission makes certain findings.

9 Staff is collaborating with the authors' offices,  
10 committee staff, and the bill sponsors on all of the above  
11 mentioned bills and we look forward to continuing to help  
12 shape them as they move through the Legislative process.

13 I'll just close by saying there's a lot going on  
14 and a lot will happen in the coming weeks, when the  
15 Legislature returns from spring recess on Monday. As busy  
16 as it is, it's still pretty early in the Legislative  
17 process and a lot will happen in the next several months,  
18 particularly around the June 2nd house of origin deadline,  
19 which is the last day for each House to pass bills  
20 introduced in that House, and June 15th, the date that the  
21 budget bill must be passed.

22 Staff will continue to review legislation and  
23 amendments in the coming months and report back to the  
24 Commission at its June public meeting and possibly bring  
25 forth legislation for the Commission to consider taking a

1 position on at that time.

2 And that concludes my presentation.

3 CHAIRPERSON KOUNALAKIS: Thank you very much for  
4 that update. You and your team have a lot of work to do  
5 to follow over 2,600 bills and keep up with everything.  
6 So thank you for keeping on top of it all and giving us  
7 that report. It is great to see so much interest in  
8 offshore wind and the Commission's role as we move forward  
9 in developing those resources off our coast. And it is  
10 also exciting with so many new members of the Legislature  
11 to see all of the new energy in the Legislature.

12 So next, let's see, I wanted to -- I want to ask  
13 the Commissioners if they have any questions or comments.

14 Commissioner Cohen, do you have any questions or  
15 comments?

16 Commissioner Miller?

17 ACTING COMMISSIONER MILLER: (Shakes head).

18 CHAIRPERSON KOUNALAKIS: Okay. Nate, do we have  
19 any public comments on Item 67?

20 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

21 Madam Chair, there are no comments for this item.

22 CHAIRPERSON KOUNALAKIS: Okay. We will then move  
23 to Item 68, which is to consider supporting HR 1452,  
24 introduced by Representative Garamendi. Legislation that  
25 would require the United States Coast Guard to release

1 ballast water treatment type approval data upon request.

2 May we please have the presentation.

3 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.

4 Thank you, Madam Chair and commissioners. This item  
5 recommends that the Commission support HR 1452 by  
6 Representative Garamendi. This legislation introduced in  
7 this year's congress relates to the Commission's Marine  
8 Invasive Species Program. The bill would require the U.S.  
9 Coast Guard to release certain information about ballast  
10 water discharge system to states at their request. It's a  
11 non-controversial proposal and the Coast Guard has no  
12 objections to the language.

13 Two years ago, the Commission authorized staff to  
14 seek the same legislation. And following that  
15 authorization, Representative Garamendi's staff  
16 successfully incorporated the language in a House passed  
17 Coast Guard Authorization Act. But the amendment was  
18 unsuccessful because certain senators tried to leverage  
19 the non-controversial provision for other unrelated  
20 amendments. Representative Garamendi's office has  
21 reintroduced the language in a stand-alone bill and is  
22 working to obtain support from states with ballast water  
23 management programs like California and other states  
24 bordering waterways that have shipping activity.

25 Ballast water type approval data, the type of

1 data that California is seeking through this legislation,  
2 results from detailed land- and ship-based testing to  
3 demonstrate how effectively a ballast water treatment  
4 system removes or kills organisms taken up in a ballast  
5 water from one port before it's discharged in a new port.

6 The reason this is important to the Commission is  
7 because we administer the State's Marine Invasive Species  
8 Program, a multi-agency program designed to reduce the  
9 risk of introducing non-indigenous species, i.e.  
10 non-native species, into State waters from vessels that  
11 arrive at California ports.

12 A key element of our program is to develop and  
13 implement ballast water discharge performance standards.  
14 But in 2018, federal legislation was enacted that  
15 preempted states from implementing state-specific  
16 performance standards. The federal legislation known as  
17 VIDA, creates one uniform federal standard. We want to  
18 make sure that the federal standard is as strong and as  
19 protective as possible, because that will reduce the risk  
20 of aquatic invasive species introductions into State  
21 waters.

22 VIDA allows State to petition the federal  
23 government for a stricter standard if the data supports  
24 that. The U.S. Coast Guard has the best available data on  
25 ballast water treatment system performance. Our staff has



1 requested this data, but the U.S. Coast Guard  
2 unfortunately refuses to release it, saying that the data  
3 includes trade secrets and commercial or financial  
4 information that is exempted from release, but the  
5 discharge performance data can be separated from that  
6 proprietary information and released.

7           And it's really vital that we have the strongest  
8 ballast water performance standard, because if aquatic  
9 invasive species are introduced into State waters, the  
10 economic and environmental effect on ecosystems, fishing,  
11 maritime commerce, tourism, and water-related recreation  
12 could be catastrophic.

13           So HR 1452 would enable the Commission to use the  
14 U.S. Coast Guard ballast water data to assess the  
15 performance of ballast water treatment systems. And this  
16 information could help inform a request to the federal  
17 government to strengthen those standards. The language in  
18 HR 1452 was developed collaboratively with Representative  
19 Garamendi's office, the U.S. Coast Guard, and Commission  
20 staff. Staff expects other states to also support the  
21 bill.

22           And for all the reasons previously mentioned, we  
23 recommend that the Commission support this legislation.

24           Thank you.

25           CHAIRPERSON KOUNALAKIS: Thank you very much,

1 Sheri. So I will be supporting this bill today. It's  
2 very important that as the State entity charged with  
3 protecting our waterways from invasive species, we remain  
4 very engaged and very forward-leaning in our efforts to  
5 push for policies that put our state in the strongest  
6 possible position. This is about transparency and  
7 gathering information to allow us to protect our waterways  
8 from invasive species and to work with the federal  
9 government and the Coast Guard to do so.

10 So thank you. And with that, Commissioner Cohen,  
11 do you have any comments or questions on this item?

12 COMMISSIONER COHEN: No, I don't have any  
13 comments or questions at this time, though I would like to  
14 just associate myself with your comments that you said.

15 CHAIRPERSON KOUNALAKIS: Thank you, Commissioner  
16 Cohen.

17 Commissioner Miller, do you have any comments or  
18 questions?

19 ACTING COMMISSIONER MILLER: No, thank you, Madam  
20 Chair. I'll be supportive of this as well when you're  
21 ready for a motion.

22 CHAIRPERSON KOUNALAKIS: Nate, do you have any  
23 public comment?

24 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:  
25 Madam Chair, there are no public comments for

1 this item.

2 CHAIRPERSON KOUNALAKIS: May I have a motion to  
3 approve staff's recommendation and a second.

4 ACTING COMMISSIONER MILLER: I'll move approval.

5 CHAIRPERSON KOUNALAKIS: We have --

6 COMMISSIONER COHEN: I'll second.

7 CHAIRPERSON KOUNALAKIS: And a second.

8 We have a motion from Commissioner Miller and a  
9 second from Commissioner Cohen.

10 Ms. Lucchesi, would you please conduct the roll  
11 call vote.

12 EXECUTIVE OFFICER LUCCHESI: Of course.

13 Commissioner Cohen?

14 COMMISSIONER COHEN: Aye.

15 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

16 ACTING COMMISSIONER MILLER: Aye.

17 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

18 CHAIRPERSON KOUNALAKIS: Aye.

19 EXECUTIVE OFFICER LUCCHESI: The motion passes  
20 unanimously.

21 CHAIRPERSON KOUNALAKIS: Thank you.

22 Item 69 is consider supporting AB 655, which  
23 would prohibit all salt water algae at the genus Caulerpa  
24 except possession for bona fide scientific research.

25 May we Please have the presentation.

1           EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.  
2 Thank you, Madam Chair and commissioners. This item  
3 recommends that the Commission support AB 655 by  
4 Assemblymember Petrie-Norris. This legislation would ban  
5 a highly invasive green algae species called Caulerpa that  
6 poses a huge threat to marine ecosystems.

7           A little over two decades ago a Caulerpa outbreak  
8 occurred in Southern California. It's arrival prompted  
9 the development of the Southern California Caulerpa Action  
10 Team, a group of governmental and non-governmental  
11 organizations focused on quickly eradicating the highly  
12 invasive species. Even so, it took over six years and \$7  
13 million to eradicate it. There are over a hundred species  
14 of Caulerpa. Legislation was enacted after the outbreak  
15 two decades ago to ban nine of those species, including  
16 the one that caused the outbreak at that time.

17           Two years ago in 2021, another Caulerpa species,  
18 one native to Florida and other subtropical and tropical  
19 locations, was detected in Newport Bay. This species was  
20 not among the banned species. The infestation in Newport  
21 Bay is ongoing and will likely take several more years and  
22 millions of dollars to eradicate. It also resulted in a  
23 reformation of the Southern California Caulerpa Action  
24 Team, and the Commission is a member of that team.

25           AB 655 would ban all Caulerpa species, protecting

1 State lands and the marine environment under the  
2 Commission's jurisdiction. According to NOAA Fisheries,  
3 any species of Caulerpa that is allowed to establish and  
4 spread in coastal areas can adversely impact local  
5 fisheries and disrupt seagrass communities important to  
6 protected species. It can proliferate quickly and harm  
7 marine life through lost habitat. New data and  
8 infestations indicate that other species not protected  
9 under current California law pose a great risk. And as a  
10 coalition of environmental and ocean-focused organizations  
11 rights in support of AB 655, without a total ban, other  
12 infestations of Caulerpa are all but guaranteed to  
13 continue. All it takes is a single piece of algae to find  
14 its way into the ocean. This bill will protect our  
15 coastal ecosystems and native seagrasses from this serious  
16 invasive algae.

17 One of the Commission's core responsibilities is  
18 to prevent aquatic invasive species introductions. AB 655  
19 similarly is intended to prevent the introduction of  
20 harmful aquatic invasive species and protect our coastal  
21 habitat and marine environment. Limiting the ban to the  
22 nine species has not prevented new introductions. What is  
23 needed now is a broader ban. AB 655 recently passed the  
24 Assembly Water, Parks, and Wildlife Committee on a  
25 unanimous 15 to 0 vote, and is pending in the Assembly

1 Appropriations Committee. It has no opposition and staff  
2 recommends that the Commission support the bill today.

3 Thank you.

4 CHAIRPERSON KOUNALAKIS: Thank you.

5 I do have one question. As a practical matter,  
6 if you ban a species of algae, what are you banning it  
7 from? Where does it originate from if it does manage to  
8 make its way into our waterways?

9 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: A lot  
10 of times -- thank you for the Chair -- I mean, thank you  
11 for the question Madam Chair. A lot of times people  
12 purchase the algae at aquarium stores for home aquariums.  
13 And then often times when they're changing the water, they  
14 might toss the water out in a way that releases the algae.  
15 So if it's banned -- if all these species are banned, it  
16 would no longer be available for people to buy at aquarium  
17 stores. And our understanding is there are ample  
18 alternatives to this particular type of algae that can  
19 replace the Caulerpa species.

20 CHAIRPERSON KOUNALAKIS: Okay. Thank you. That  
21 was my only question.

22 Commissioner Cohen, do you have any questions or  
23 comments?

24 COMMISSIONER COHEN: I do. So is it possible for  
25 the Caulerpa to be transported via ballast water

1 discharge?

2           EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: It is  
3 not impossible, but it's incredibly unlikely and would  
4 be -- and would be pretty rare.

5           COMMISSIONER COHEN: Not impossible, but not  
6 probable is what you're saying?

7           EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes,  
8 correct.

9           COMMISSIONER COHEN: Okay. But we can't rule it  
10 out with 100 percent certainty saying that it can?

11           CHAIRPERSON KOUNALAKIS: I think -- I think what  
12 we're hearing is the most likely way that it would be  
13 introduced is people would buy it at aquariums -- buy it  
14 at shops for the purpose of using in an aquarium. Is  
15 that -- are there any other ways? Do people use it in the  
16 fisheries or any other industry, or in landscaping,  
17 anything like that?

18           EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Not  
19 to my knowledge. Our understanding is it's very unlikely  
20 to be transported via ballast water. And we -- you know,  
21 it's technically possible, but the life history of it is  
22 not really compatible with that type of vector.

23           COMMISSIONER COHEN: Let me ask a follow-up  
24 question. The source of the 2021 outbreak, has that been  
25 identified?

1           EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: The  
2 specific species of Caulerpa that was the source of that  
3 outbreak, yes, that was identified. I don't know offhand  
4 how it specifically made its way into the water.

5           COMMISSIONER COHEN: Okay.

6           EXECUTIVE OFFICER LUCCHESI: I don't think --

7           CHAIRPERSON KOUNALAKIS: Do you have --

8           EXECUTIVE OFFICER LUCCHESI: Sorry, go ahead.

9           CHAIRPERSON KOUNALAKIS: For that, just a  
10 follow-up on Commissioner Cohen's question. Would you  
11 assume that it was similar to having come through personal  
12 use in an aquarium?

13           EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: I --  
14 I'm always a little hesitant to assume, but I think based  
15 on what I -- based on what I know, it's likely that it  
16 probably is -- originated from algae in an aquarium.

17           COMMISSIONER COHEN: So I think what -- where I  
18 -- it just seems -- there seems to be a lot of  
19 uncertainty. All I -- all I want to know is in 2021 where  
20 or how did this outbreak start? Did someone study it? Is  
21 it in a report somewhere and you're just not able to get  
22 your hands on the information or...

23           EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yeah.  
24 No. No. Thank you. That's a great question. I don't  
25 know offhand where that particular species originated



1 from, but I can certainly find out. I think the Southern  
2 California Caulerpa Action Team would have that  
3 information and we can easily get that information and  
4 provide it to you.

5 COMMISSIONER COHEN: Thank you. I would  
6 appreciate that. Thank you so much.

7 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON:  
8 Absolutely.

9 COMMISSIONER COHEN: I have no other questions.

10 CHAIRPERSON KOUNALAKIS: Commissioner Miller, do  
11 you have any questions or comments?

12 ACTING COMMISSIONER MILLER: I don't, Madam  
13 Chair.

14 CHAIRPERSON KOUNALAKIS: Thank you.

15 Nate, do we have any public comments on this  
16 item?

17 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:  
18 Madam Chair, there are no public comments for  
19 this item.

20 CHAIRPERSON KOUNALAKIS: Okay. Let's proceed  
21 with the vote. May I have a motion to approve and a  
22 second?

23 ACTING COMMISSIONER MILLER: Madam Chair, just as  
24 a reminder, I'll be abstaining from this. I'm happy to  
25 move it, if it's helpful, but not voting.

1 COMMISSIONER COHEN: I'm happy to move it.

2 ACTING COMMISSIONER MILLER: Okay. Thank you  
3 very much.

4 CHAIRPERSON KOUNALAKIS: I'll second.  
5 And may we please have a roll call vote.

6 EXECUTIVE OFFICER LUCCHESI: Certainly.  
7 Commissioner Cohen?

8 COMMISSIONER COHEN: Aye.

9 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

10 ACTING COMMISSIONER MILLER: Abstain.

11 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

12 CHAIRPERSON KOUNALAKIS: Aye.

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

15 CHAIRPERSON KOUNALAKIS: Item 70 is to consider  
16 authorizing the Executive Officer to enter into  
17 cooperative agreements to address situations and concerns  
18 related to the unhoused on State-owned sovereign or school  
19 lands. May we please have the presentation?

20 ENVIRONMENTAL JUSTICE AND TRIBAL LIAISON RAMIREZ:

21 Good afternoon, Chair Kounalakis and  
22 commissioners. I am Yessica Ramirez, the Commission's  
23 Environmental Justice and Tribal Liaison. I don't have a  
24 presentation. I just will be speaking on the item.

25 This State continues to experience a humanitarian

1 crisis of people experiencing homelessness. It is  
2 exacerbated by the ongoing lack of affordable housing,  
3 inflation, and other socioeconomic and public health  
4 factors. While the administration has taken steps to  
5 address homelessness, such as increasing funding to local  
6 governments and service providers, as well as providing  
7 temporary housing programs, the issue persists. Many  
8 people experiencing homelessness seek shelter on open,  
9 undeveloped land near areas that provide anonymity and  
10 access to services. Lands under the Commission's  
11 jurisdiction are not excluded from this crisis.

12           Staff is aware of locations under its  
13 jurisdiction where unhoused individuals have taken shelter  
14 and encampments have developed. There are times when  
15 these occupants affect the aquatic and marine environment  
16 and the local neighborhoods and communities. These  
17 impacts can be vast and include accumulation of trash and  
18 debris, destruction or removal of native vegetation,  
19 reduced water quality, fire hazards associated with  
20 unregulated cooking and heating devices, and effects on  
21 the surrounded neighborhood.

22           One such location is on State-owned land under  
23 the Commission's jurisdiction in the northwestern part of  
24 the City of Stockton. The site is located along the west  
25 side of Trinity Parkway near Bear Creek. Over the last

1 few years, people experiencing homelessness have created  
2 several encampments on and around the State-owned land,  
3 which has led to accumulation of a considerable amount of  
4 trash and debris around the encampments.

5 Commission staff have been coordinating with the  
6 city and county officials, as well as nearby residents and  
7 businesses in efforts to address the issues posed by the  
8 encampments. To address immediate issues of public health  
9 and safety, water quality and environmental degradation,  
10 Commission staff has initiated a cleanup of trash and  
11 debris on the site pursuant to the authorization from the  
12 Commission in August 2022.

13 Additionally, the City of Burlingame's Code  
14 Enforcement recently notified staff about complaints to  
15 the police department about a person living in an RV in  
16 the parking lot adjacent to the lagoon on Bayview Court.  
17 Like many other cities, the City of Burlingame has zoned  
18 an area where the unhoused can park from 7 p.m. to 7 a.m.

19 Local governments are most familiar with the  
20 unhoused populations and encampments in their communities.  
21 They often have the resources, including State funding, to  
22 address the issues or are working to increase the  
23 resources to meet the need. Commission staff is aware the  
24 presence of unhoused individuals, groups, or encampments  
25 on State-owned land under the Commission's jurisdiction

1 may result in impacts to the environment, public access,  
2 and recreation, and may create public health and safety  
3 concerns to both unhoused individuals and nearby residents  
4 and businesses.

5           Entering into agreements with local governments,  
6 State agencies, and other entities will help mitigate  
7 these impacts, provided such agreements include reasonable  
8 terms that identify resources for the unhoused  
9 individuals, and facilitate safe access connecting these  
10 resources to the unhoused. While these agreements will  
11 not solve the larger issues of homelessness, they should  
12 reduce the most severe impacts to the Public Trust and  
13 State land resources in those areas where the agreements  
14 are in place.

15           The Commission's effort to collaborate with local  
16 governments, the unhoused individuals, nearby residents,  
17 and businesses, and another stakeholders signals its  
18 willingness to hear its -- hear their viewpoints and seek  
19 solutions on these important issues affecting both the  
20 State and the nation.

21           Staff is recommending the Commission authorize  
22 the Executive Officer or her designee to enter into  
23 agreements with cities, counties, and other State or local  
24 governments, departments, or entities to allow access to  
25 State-owned sovereign or school lands to address concerns

1 related to the unhoused, provided that the Executive  
2 Officer or her designee find: A, the agreement is for the  
3 purpose of addressing environmental, public access, public  
4 health, or public safety concerns related to unhoused  
5 populations on State-owned sovereign or school lands,  
6 included -- including, but not limited to, providing  
7 services to persons experiencing homelessness; B, the  
8 Commission's entering into such an agreement is exempt  
9 from the requirements of CEQA; C, the activities to be  
10 undertaken on State-owned sovereign land will not  
11 substantially interfere with Public Trust uses, resources,  
12 or values, and; D, the agreement is in the State's best  
13 interest.

14 This concludes my presentation. I am happy and  
15 available to answer any questions.

16 CHAIRPERSON KOUNALAKIS: Thank you very much for  
17 your presentation, Ms. Ramirez.

18 Commissioner Cohen, do you have any questions or  
19 comments?

20 COMMISSIONER COHEN: No, I don't. Thank you,  
21 Yessica.

22 CHAIRPERSON KOUNALAKIS: Commissioner Miller.

23 ACTING COMMISSIONER MILLER: (Shakes. Head)

24 CHAIRPERSON KOUNALAKIS: Issues related to the  
25 unhoused are very difficult. And I know that more and

1 more they are -- the issue is impacting staff at State  
2 Lands and does seem to require some additional ability on  
3 your part to be able to work with local jurisdictions when  
4 State lands or school lands are impacted. So I am  
5 confident that staff will be able to work together  
6 cooperatively with local governments, if and when these  
7 issues arise, and to work together to find solutions.

8 So with that, do I have a motion and a second?

9 COMMISSIONER COHEN: Before we go to questions, I  
10 actually would like some questions asked and then  
11 answered, if that's okay.

12 CHAIRPERSON KOUNALAKIS: Of course.

13 COMMISSIONER COHEN: Okay. Great.

14 So I appreciate and acknowledge the work that the  
15 State Lands Commission, the staff, has done, in particular  
16 the work -- the presentation that Yessica gave. And I  
17 think that, from what I understand, that we are doing a  
18 good job ensuring that we're handling complex issues when  
19 it comes to humanity, when it comes to respect above all  
20 and making sure that we're connecting people to resources,  
21 all while adhering to our statutory duty to protect the  
22 Public Trust, to protect the land. So if appropriate, I  
23 wanted to ask Ms. Lucchesi about the size of the Stockton  
24 encampment.

25 EXECUTIVE OFFICER LUCCHESI: Oh, in terms of

1 acreage?

2 COMMISSIONER COHEN: Well, as of Thursday, I  
3 think you were looking into it and you didn't quite have  
4 the answer, but maybe you -- staff provided you an answer,  
5 just the size of it. Are we talking about thousands of  
6 people? Are we talking about 25 to 30 people? I just  
7 want to know exactly the -- what's the human cost here and  
8 what the toll will be?

9 EXECUTIVE OFFICER LUCCHESI: Right. Right.  
10 Yeah, so we're looking at anywhere between 20 and 30  
11 unhoused individuals at this location.

12 COMMISSIONER COHEN: All right.

13 EXECUTIVE OFFICER LUCCHESI: And I do want to  
14 be -- just to confirm that we are not looking to evict the  
15 unhoused individuals at this location, and -- you know,  
16 and then move on. Our goal would be to work with the  
17 local governments, and local nonprofits, and social  
18 workers to both clean up the site from debris that's  
19 accumulated over time, which we're currently doing, but  
20 also to the best of our ability, connect the unhoused  
21 individuals with services, and really treat them with the  
22 utmost respect that they deserve.

23 COMMISSIONER COHEN: Yeah, I can appreciate that.  
24 And you said something that really struck a chord with me.  
25 In my own experience in cleaning up homeless encampments,



1 that often there's a lot of litter, trash, debris that is  
2 left behind. And so sometimes that cost isn't taken into  
3 consideration. So do you have an idea on what that would  
4 cost?

5 EXECUTIVE OFFICER LUCCHESI: Yes. We have  
6 entered into a contract for that debris removal and I'll  
7 turn it over to Yessica to reflect on that.

8 COMMISSIONER COHEN: Okay. Thank you.

9 ENVIRONMENTAL JUSTICE AND TRIBAL LIAISON RAMIREZ:  
10 Thank you, Commissioner Cohen for your questions.

11 So we are working with the Greater Valley  
12 Conservation Corps to facilitate the cleanup of the  
13 encampment. As I mentioned in my presentation, we did  
14 conduct an initial cleanup of the land back in November of  
15 last year, and that cost was around, I believe, \$32,000.

16 COMMISSIONER COHEN: Okay.

17 ENVIRONMENTAL JUSTICE AND TRIBAL LIAISON RAMIREZ:

18 And then the next cleanup that we are focused on  
19 doing this spring will be -- we're still waiting on an  
20 adjusted quote, but it should be under \$40,000 or around  
21 \$40,000.

22 COMMISSIONER COHEN: Okay.

23 EXECUTIVE OFFICER LUCCHESI: And our total -- our  
24 total contract for that work is not to exceed \$75,000.

25 COMMISSIONER COHEN: Okay.

1 EXECUTIVE OFFICER LUCCHESI: So at this point,  
2 we are planning to be under just by a few thousand  
3 dollars.

4 COMMISSIONER COHEN: So does that plan require  
5 for it to come to us for a vote or for approval of any  
6 sort or because it's under 70 K or 75 K that you have the  
7 authority to do it?

8 EXECUTIVE OFFICER LUCCHESI: Actually, the  
9 Commission authorized us to enter into that contract last  
10 year.

11 COMMISSIONER COHEN: Okay.

12 EXECUTIVE OFFICER LUCCHESI: So any additional  
13 expenditures or modifications to that contract above  
14 75,000, we would come back to the Commission for a further  
15 authorization. And you bring up a really great point,  
16 Commissioner Cohen, the delegation that we're seeking in  
17 this action item is not authorizing us to expend any State  
18 Lands Commission funds. We would -- any further requests,  
19 whether associated with Trinity Parkway or any other  
20 location that -- where we would want to spend Commission  
21 State funds on, we would come back to the Commission for  
22 your authorization.

23 COMMISSIONER COHEN: Thank you. I have no other  
24 questions.

25 CHAIRPERSON KOUNALAKIS: Commissioner Miller.

1           ACTING COMMISSIONER MILLER:   (Shakes head).

2           CHAIRPERSON KOUNALAKIS:   Nate, do we have anyone  
3 from the public who would like to address this issue, this  
4 item?

5           ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:  
6           Madam Chair, there are no public comments for  
7 this item.

8           CHAIRPERSON KOUNALAKIS:   Okay.   May we have a  
9 motion and a second?

10          ACTING COMMISSIONER MILLER:   I'll move approval.

11          COMMISSIONER COHEN:   I'll second that motion.

12          CHAIRPERSON KOUNALAKIS:   We have a motion from  
13 Commissioner Miller, and a second from Commissioner Cohen.  
14 May we please have a roll call.

15          EXECUTIVE OFFICER LUCCHESI:   Certainly.  
16 Commissioner Cohen?

17          COMMISSIONER COHEN:   Aye.

18          EXECUTIVE OFFICER LUCCHESI:   Commissioner Miller?

19          ACTING COMMISSIONER MILLER:   Aye.

20          EXECUTIVE OFFICER LUCCHESI:   Chair Kounalakis?

21          CHAIRPERSON KOUNALAKIS:   Aye.

22          EXECUTIVE OFFICER LUCCHESI:   The motion passes  
23 unanimously.

24          CHAIRPERSON KOUNALAKIS:   Okay.   Item 71 is to  
25 consider the Long Beach Unit Program Plan and Annual Plan

1 for the Wilmington Oil Field in Los Angeles County.

2 May we please have the presentation.

3 (Thereupon a slide presentation).

4 ATTORNEY WIEMER: Yes. Good afternoon, Madam  
5 Chair and Commissioners.

6 Next slide, please.

7 --o0o--

8 ATTORNEY WIEMER: Beginning in 1911, the State's  
9 sovereign lands, including mineral interests, offshore of  
10 Long Beach were granted by the State Legislature to the  
11 City of Long Beach subject to the Public Trust. The grant  
12 was subsequently amended several times up through 2012 and  
13 includes all tidelands that are within city limits.

14 The Wilmington Oil Field was discovered in this  
15 area in the 1930s and is divided into two main parts, West  
16 Wilmington and East Wilmington. West Wilmington is often  
17 simply referred to as the tidelands, whereas East  
18 Wilmington is most commonly referred to as the Long Beach  
19 Unit.

20 As directed by Chapter 138 of the statutes of  
21 1964, the Long Beach Unit was formed and development of it  
22 began in 1965. All essential facilities were developed  
23 between 1965 and 1970. Production peaked in August of  
24 1969 at nearly 150,000 barrels per day. The City of Long  
25 Beach is both the grantee of these lands and operator of

1 the Long Beach Unit. California Resources Long Beach,  
2 Inc., a subsidiary of California Resources Corporation, is  
3 the current field contractor. The State receives a share  
4 of unit net profits.

5 Recently, in 2021, chapter 258 was enacted as  
6 part of a public resources trailer bill. Under the  
7 statute, the State retroactively consented to the  
8 application of the City of Long Beach's oil barrel  
9 production tax to the State's share of oil revenue. The  
10 oil barrel production tax has been in effect in Long Beach  
11 for many years and applies to each barrel of oil produced  
12 within city limits. It was increased with the passage of  
13 Measure US in November 2020. The income from the tax  
14 increase is being partially used to fund the City's public  
15 health, climate change, and youth development efforts.

16 Next slide, please.

17 --o0o--

18 ATTORNEY WIEMER: The Wilmington Oil Field  
19 underlies three significant oil and gas operations on and  
20 around the Port of Long Beach: the tidelands, the Long  
21 Beach Unit, and State oil and gas lease number 186, which  
22 is also known as the Belmont lease. Unlike the Belmont  
23 lease, the tidelands and Long Beach Unit operations are  
24 statutorily authorized by the Legislature. They are not  
25 leases that are issued by the Commission.

1           Through the legislative grant, the City of Long  
2 Beach was given control over the State's sovereign lands  
3 in this area. And then through subsequent amendments, the  
4 City also took on the role of oil and gas operator for the  
5 tidelands and for the Long Beach Unit.

6           Next slide, please.

7                               --o0o--

8           ATTORNEY WIEMER: This picture depicts the Long  
9 Beach Unit. The majority of oil production here occurs  
10 from the four human-made drilling islands that are shown,  
11 Islands Grissom, White, Chaffee, and Freeman. The islands  
12 were named after four NASA astronauts who perished in the  
13 early years of the U.S. Space Program. Astronauts  
14 Grissom, White, and Chaffee were killed in the Apollo 1  
15 launch pad accident in 1967, and Astronaut Freeman  
16 perished in active duty while piloting a jet trainer in  
17 1964.

18           Next slide, please.

19                               --o0o--

20           ATTORNEY WIEMER: As mentioned earlier, Long  
21 Beach Unit operations began with the enactment of Chapter  
22 138 of the statutes of 1964 and Unit operations are still  
23 largely governed by that statute. Chapter 138 provided  
24 for formation of the Long Beach Unit, established the City  
25 of Long Beach as the trustee of the granted lands and as

1 unit operator, and set forth a framework by which the  
2 deposits of oil, gas, and other hydrocarbons in and under  
3 the Long Beach tidelands should be developed.

4 Under chapter 138, the State retained a financial  
5 interest in the revenue generated by Long Beach Unit  
6 development and was provided with limited oversight  
7 authority over unit operations, including review of plans  
8 of development and involvement in the preparation and  
9 approval of contracts necessary for the unit, including  
10 the unit agreement, unit operating agreement, and  
11 contractor's agreement.

12 Chapter 138 established net profits sharing as  
13 between the City and the State. The portion of oil  
14 revenue to be retained by the City of Long Beach was  
15 gradually reduced each year between 1967 and 1988. From  
16 1988 forward, the City retained \$1 million in oil revenue  
17 each year, while the State received all remaining oil  
18 revenue.

19 Next slide, please.

20 --o0o--

21 ATTORNEY WIEMER: Production from the Long Beach  
22 Unit began declining after it peaked at the 150,000  
23 barrels per day in August of 1969. In 1990, the  
24 contractor for the Long Beach Unit approached the City and  
25 State with a proposal for funding and implementation of a

1 program to optimize water flood operations. Essentially,  
2 the proposal was for the contractor to invest a  
3 significant amount of money into further developing the  
4 field and increasing oil production in exchange for a  
5 larger share of the incremental oil revenue generated by  
6 that water flooding.

7 In 1991, the Legislature enacted Chapter 941,  
8 which blessed this proposal and authorized the City,  
9 State, and contractor to enter into the Optimized Water  
10 Flood Program Agreement, or OWPA, which became effective  
11 the following year, 1992. The OWPA provides for  
12 incremental profit sharing as between the contractor,  
13 State, and City. Chapter 941 and the OWPA served to not  
14 only significantly reduce the State's share of profits  
15 from Long Beach Unit oil production operations down to  
16 42.5 percent, but also to significantly reduce the State's  
17 oversight with respect to those operations.

18 Power the State had under Chapter 138, such as  
19 the ability to set a formal hearing to order modification  
20 to plans of development and operation, were removed  
21 entirely or were watered down significantly by Chapter  
22 941.

23 Next slide, please.

24 --o0o--

25 ATTORNEY WIEMER: Since 1991, the Commission's



1 oversight of the Long Beach Unit primarily consists of  
2 reviewing program plans, annual plans, and subsidence  
3 surveys and studies. The five-year program plan is  
4 updated by the City and contractor every two years. The  
5 Commission reviews each program plan update to ensure  
6 consistency with good oil field practice, consistency with  
7 the OWPA, consistency with both the Long Beach Unit and  
8 unit operating agreements, and no significant  
9 environmental and safety concerns.

10           After the Long Beach City Council approves a  
11 program plan, the City is required to formally submit that  
12 plan to the Commission, after which the Commission has 45  
13 days to review the plan and either accept it or order  
14 changes. If the Commission does not respond within those  
15 45 days, the program plan is deemed to be reviewed and  
16 accepted by the Commission.

17           In addition to reviewing the program plan, every  
18 year the Commission reviews the annual plan and budget to  
19 ensure consistency with the program plan. That same  
20 45-day review period applies. The Commission also reviews  
21 and approves costs related to subsidence studies on an  
22 annual basis and receives updates on subsidence surveys  
23 every six months.

24           Next slide, please.

25                           --o0o--

1           ATTORNEY WIEMER: Additionally, Commission staff  
2 participate in monthly engineering committee meetings,  
3 participate in reservoir management consultation with the  
4 City and CRC, perform analysis of drilling safeguards  
5 involving blowout prevention equipment certification,  
6 conduct oil spill prevention exercises, provide on-site  
7 inspector presence in the field, conduct safety and oil  
8 spill prevention inspections and audits, monitor and  
9 prevent subsidence, monitor production and financial  
10 information, and conduct financial audits.

11           Next slide, please.

12                       --o0o--

13           ATTORNEY WIEMER: Safety and oil spill prevention  
14 inspections are performed monthly. Safety audits are  
15 completed in five-year intervals with the most recent  
16 audit having been completed in 2020. Overall, these  
17 inspections and audits have found the Long Beach Unit  
18 facilities, safety systems, and equipment to be of safe  
19 design and in good condition.

20           Next slide, please.

21                       --o0o--

22           ATTORNEY WIEMER: The program plan currently  
23 under review covers the period of 2023 through 2028. The  
24 budgeted expenditures for this five-year period are  
25 estimated to be \$1.5 billion. The City projects Long

1 Beach Unit net profits to total \$293 million using a  
2 projected oil price of \$65 per barrel. The program plan  
3 forecasts a decline in production from 14,700 barrels of  
4 oil per day in fiscal year 2023-24 to 13,600 barrels of  
5 oil per day in fiscal year 2027-28.

6 Next slide, please.

7 --o0o--

8 ATTORNEY WIEMER: This forecasted decline is  
9 consistent with daily production figures over the past two  
10 years. In fiscal year 2021-22, oil production averaged  
11 14,960 barrels per day. In the first nine months of the  
12 current fiscal year, oil production has averaged 14,695  
13 barrels per day.

14 Next slide, please.

15 --o0o--

16 ATTORNEY WIEMER: The annual plan currently under  
17 review covers the period of July 1st, 2023 through June  
18 30th, 2024. The plan estimates expenditures to total \$324  
19 million and unit net profits to total \$34 million, using a  
20 projected oil price of \$65 per barrel. Production is  
21 forecasted to average 14,700 barrels per day for fiscal  
22 year 2023-24.

23 Next slide, please.

24 --o0o--

25 ATTORNEY WIEMER: It is important to note that

1 the program plan is a strategic document intended to  
2 describe key issues facing the unit and to outline  
3 strategies for optimizing the economic recovery of  
4 resources, while maintaining excellence in safety and  
5 environmental protection. It should include  
6 considerations of probable risks to the operations from  
7 potential statutory, regulatory, and economic changes over  
8 the five-year planning period.

9 Next slide, please.

10 --o0o--

11 ATTORNEY WIEMER: The city and contractor are  
12 required to revise the program plan to incorporate changes  
13 ordered by the Commission, where the Commission finds the  
14 changes necessary to assure the program plan is consistent  
15 with good oil field practice, consistent with the  
16 Optimized Water Flood Program, consistent with the Long  
17 Beach Unit and Unit Operating Agreements, and does not  
18 involve significant safety for environmental risk. The  
19 City, or contractor, or both may apply to a court of  
20 competent jurisdiction to review changes ordered by the  
21 Commission.

22 Next slide, please.

23 --o0o--

24 ATTORNEY WIEMER: Revisions to the current  
25 program plan are necessary to ensure consistency with the

1 Optimized Water Flood Program, Unit Agreement, Unit  
2 Operating Agreement, and good oil field practice, and to  
3 assure against significant safety and environmental risk.  
4 The program plan must be revised to expand consideration  
5 of safety and environmental risks to include not only  
6 immediate considerations for safety, health, and  
7 environmental protection, but also broader and more long  
8 term foreseeable risks and uncertainties that could  
9 significantly alter unit operations.

10           The economic and development projections in the  
11 plan must also be revised to take into account all  
12 critical potential issues, challenges, and risks facing  
13 the unit, and the program plan's identification and  
14 analysis of such risks must be expanded.

15           Next slide, please.

16                               --o0o--

17           ATTORNEY WIEMER: Staff has identified eight  
18 risks facing the Long Beach Unit that were not adequately  
19 addressed and analyzed in the program plan. First, Senate  
20 Bill 1137 was signed into law in September of last year.  
21 It prohibits most new or modified oil and gas wells within  
22 3,200 feet of sensitive receptors, such as schools and  
23 residences, and requires existing wells to meet specified  
24 health, safety, and environmental requirements.

25           While implementation is stayed pending a

1 referendum that will be on the 2024 general election  
2 ballot, if this remains the law, it could affect  
3 development and maintenance at Island Grissom, Island  
4 White, and Pier J, and could increase monitoring costs.

5         Second, during the underground injection control  
6 project review by CalGEM, CalGEM questioned the validity  
7 of the maximum allowable injection pressure and the  
8 injection gradient used at the Long Beach Unit and may  
9 issue an order accordingly. If CalGEM orders the  
10 injection gradient lowered, it would limit the unit's  
11 ability to inject water and subsequently reduce the amount  
12 of oil produced from the unit. This will have an impact  
13 on field operations and the economic life of the field.

14         Third, the Long Beach Unit power plant lease will  
15 expire in 2024 and the City has so far been unable to  
16 negotiate a new lease, resulting in the risk that the  
17 power plant will shut down. The power plant is the  
18 primary consumer of unit gas and its shutdown would  
19 substantially threaten unit economics and the ability to  
20 operate and produce oil, because the unit will have no  
21 place to ship the oil and -- to ship the gas that is  
22 produced. Without an outlet for the gas, the oil would  
23 not be able to be produced safely

24         Fourth, there have been two significant gas  
25 volatility events and significant variation in oil prices

1 over the past three years. Development and economic  
2 projections could significantly differ given this  
3 volatility and should be analyzed under a wider range of  
4 price scenarios.

5 Next slide, please.

6 --o0o--

7 ATTORNEY WIEMER: Fifth, sea level rise and other  
8 climate impacts, including more frequent and intense storm  
9 surges, flooding, and erosion, threaten the Long Beach  
10 Unit's onshore and offshore oil and gas -- gas  
11 infrastructure. Long Beach is predisposed to subsidence  
12 risk, increasing the unit's operational, safety, and  
13 pollution prevention vulnerability.

14 Sixth, the Long Beach Unit's operations are a  
15 source of air pollution affecting health, safety, and the  
16 environment and surrounding communities with a  
17 disproportionate impact on minority populations.  
18 Environmental justice considerations need to be addressed  
19 in the program plan.

20 Seventh, the program plan does not sufficiently  
21 address well abandonment and idle wells. Full abandonment  
22 operations are usually not performed on Long Beach Unit  
23 wells due to limited wellhead capacity on the islands, and  
24 partial abandonments do not fully plug wells, so that they  
25 remain available for future redrilling. This leaves

1 numerous idle wells, which can pose environmental and  
2 health and safety risks.

3 Eighth, the program plan notes that various  
4 sources of water are used for unit operations, including  
5 fresh water, but the quantity used is not specified and  
6 must be addressed in relation to health, safety, and  
7 environmental risks related to state water shortages.

8 Next slide, please.

9 --o0o--

10 ATTORNEY WIEMER: Staff recommends that the  
11 Commission, pursuant to section 3 of Chapter 941 of the  
12 statutes of 1991 order the program plan and annual plan to  
13 be revised to incorporate risk identification and  
14 analysis, including each of the risks just specified, in  
15 order to provide the transparency necessary to evaluate  
16 the efficacy of current and future operations.

17 Next slide, please.

18 --o0o--

19 ATTORNEY WIEMER: That concludes staff's  
20 presentation. We are happy to answer any questions. Bob  
21 Dowell, the Director of Long Beach Energy Resources is  
22 also here on behalf of the City of Long Beach and  
23 available to answer questions as well.

24 Thank you.

25 CHAIRPERSON KOUNALAKIS: Thank you very much, Ms.



1 Wiemer, for that presentation and for all the hard work of  
2 the staff in evaluating the Long Beach Unit program plan  
3 and annual plan. I think maybe my first question, and  
4 this is maybe for you, Ms. Lucchesi, if you could just  
5 kind of outline for everyone the process here because my  
6 understanding is the City writes this plan. They're  
7 required to bring the plan every year or every other year,  
8 depending on which of the two we're talking about, to us.  
9 We review it and we either accept these plans or we send  
10 them back for revision, is that correct?

11 EXECUTIVE OFFICER LUCCHESI: That is correct,  
12 Chair Kounalakis. And the City is required to incorporate  
13 the changes required by the Commission. However, the  
14 statutes and the agreements are not clear about that  
15 coming back to the Commission for acceptance. So  
16 essentially, it goes to the city -- back to the city, they  
17 make the changes, and then that is the plan. If the city  
18 challenges the Commission's ordered changes, they can then  
19 appeal to a local court with jurisdiction and go through  
20 that process to assess the Commission's ordered changes.

21 CHAIRPERSON KOUNALAKIS: Okay. So I just want to  
22 clarify that the action that's before us is whether to  
23 accept the plans the way they've been written or to take  
24 staff recommendation, which is to send them back with  
25 these issues and risks which we believe -- which we are

1 asking them to address through a revision process. After  
2 that, it may or may not come back to us again, but the  
3 city is obligated to take, if we do vote for this with  
4 these eight issues to be addressed, they're required to  
5 address them.

6 EXECUTIVE OFFICER LUCCHESI: That's correct.

7 CHAIRPERSON KOUNALAKIS: Okay. So I want to make  
8 sure that we all understand our jurisdiction and the issue  
9 that's in front of us today.

10 Commissioner Cohen, I see your hand raised.

11 COMMISSIONER COHEN: Yes.

12 CHAIRPERSON KOUNALAKIS: Questions or comments.

13 COMMISSIONER COHEN: Thank you very much. So  
14 just a couple questions. First, is it inappropriate for  
15 me, as a member of this Commission, to reach out to the  
16 City of Long Beach about this topic?

17 CHAIRPERSON KOUNALAKIS: I think we have someone  
18 from the City of Long Beach who's here right now to help  
19 answer questions as well.

20 COMMISSIONER COHEN: Okay. I'd -- would that  
21 person be able to identify themselves.

22 CHAIRPERSON KOUNALAKIS: Bob Dowell.

23 MR. DOWELL: Yes. Good afternoon, Madam Chair  
24 and Commissioner. Yeah, my name is Bob Dowell. I'm the  
25 Director of the City of Long Beach's Energy Resources

1 Department, and I am here to answer any questions that you  
2 may have.

3 COMMISSIONER COHEN: Thank you. I wanted to, I  
4 guess, first ask you, do you -- is there anything that you  
5 needed to -- that you wanted to add to this presentation?

6 MR. DOWELL: No. I thought it was very complete  
7 and very well done.

8 COMMISSIONER COHEN: Okay. Good, so did I.

9 So -- and I -- and with that, I also want to  
10 acknowledge the State Lands Commission staff just for  
11 developing, I think, a really thoughtful approach and  
12 recommendation on a short timeline. And also, I'm  
13 grateful any time there's any interest. So the public  
14 commenters that are lining up or who have expressed  
15 interest in this issue, I appreciate your comment.

16 I agree that the recommendations proposed by the  
17 State Lands Commission are necessary to include a -- to be  
18 included into -- when considering that we want to develop  
19 a responsible plan for the future of the Long Beach Unit.  
20 There are two questions that really came to my mind when I  
21 was being briefed on it and then when I heard again in  
22 this presentation.

23 And the two -- and they're really, I think, in my  
24 mind now, formulating as -- not just questions but now  
25 recommendations, one for the Committee to consider and

1 then one for you, Gayle Miller, for -- specifically for  
2 the Department of Finance.

3           So first, two recommendations for this body to  
4 consider. An element that considers the social cost of  
5 extracting oil, especially because the City -- because the  
6 City is a trustee of the State Land -- State tidelands and  
7 it's within their fiduciary duty. So, for example,  
8 there's a measurable economic impact of poor public health  
9 outcomes. This concerns me. And in the same vein, I  
10 wanted to know if there's a way that we can ensure that  
11 the city collaborate with the local health department to  
12 fully account for the exposure of whatever may be out  
13 there to the minority communities -- to communities that  
14 have just been historically excluded in the Long Beach  
15 community. Oil drilling is directly linked with a public  
16 health hazard. And I think that is scientifically as well  
17 as public health documentation exists to support this.  
18 And I am concerned that we are disproportionately putting  
19 African Americans, Latinos, members of the API community  
20 that live around this area putting their health in  
21 jeopardy.

22           Now, the other question is for you, Ms. Gayle  
23 Miller, representative of the Department of Finance. So  
24 the State's liability for decommissioning the Long Beach  
25 Unit is estimated to be around \$940 million. And so what

1 that means is it leaves a balance of the Oil Trust  
2 Abandonment Fund to be around 306 million plus interest.  
3 And if only deposits are coming in at around \$2 million  
4 plus from the revenue each month, what is most likely  
5 going to happen is is that there's still a \$300 million  
6 short when 2035 comes around. So here's the big question,  
7 who's going to pay for it? How are we going to pay for  
8 it? What's the State's plan to finance the remaining  
9 liabilities to decommission the Long Beach Unit?

10 Big question. Ms. Miller, I know you may not  
11 have an answer ready, but if you could speak to it, great.  
12 If not, you can --

13 ACTING COMMISSIONER MILLER: Absolutely. Madam  
14 Chair is it okay if I --

15 CHAIRPERSON KOUNALAKIS: Yes. I just want to  
16 know, because you -- do you also want to hear from Bob  
17 Dowell again? We'll turn to Ms. Miller to answer the  
18 question and then any other people you'd like to have  
19 respond to your comments, Commissioner Cohen.

20 COMMISSIONER COHEN: Thank you. I -- Mr. Dowel,  
21 thank you very much. I don't have anything further for  
22 him. I'm most interested in what Ms. Miller's answer will  
23 be. Thank you.

24 ACTING COMMISSIONER MILLER: Yeah. Thank you  
25 very much, Madam Controller. And I'm glad you asked it,

1 because this is something that we've worked a lot on  
2 throughout the years is ensuring -- based actually on  
3 prior experience, is ensuring that between the revenue and  
4 the bonds, we actually can cover the cost of both  
5 decommissioning, and as we just learned with the oil  
6 spill, that the responsible parties cover the cost of any  
7 of the damage.

8 So I know that Ms. Lucchesi has the more precise  
9 answer for you in terms of the payment period through the  
10 time period we're talking about, but I just appreciate  
11 the mindfulness that every time we make one of these  
12 decisions, how we ensure that the State is not on the hook  
13 for the excess dollars.

14 So if I could turn it to, Ms. Lucchesi, if that's  
15 okay, Madam Chair for the second part.

16 CHAIRPERSON KOUNALAKIS: Of course.

17 EXECUTIVE OFFICER LUCCHESI: Yes.

18 ACTING COMMISSIONER MILLER: Thank you.

19 EXECUTIVE OFFICER LUCCHESI: Yeah. So unlike our  
20 offshore oil and gas leases that the State Lands  
21 Commission directly manages on behalf of the State, those  
22 abandonment costs and decommissioning costs are required  
23 to be borne by the operators, by the lessees. The Long  
24 Beach Unit, as you heard through Ms. Wiemer's  
25 presentation, was developed and really blessed in -- by

1 the Legislature starting in 1964. And with that 1964  
2 statute, where the State retained the majority, the vast  
3 majority of the revenue that were -- was generated at --  
4 in these operations, it also took on the costs for  
5 abandonment of the operations when the life of the field  
6 ended.

7 And so the State has been, if you will, on the  
8 hook for the majority of the abandonment costs associated  
9 with these operations since 1964. And we have been  
10 working - we, as State Lands Commission and its staff  
11 along with the City of Long Beach and their local  
12 legislators - for many years on trying to increase the Oil  
13 Trust Fund -- oil liability trust fund that was set up by  
14 the Legislature over 15 years ago. And so when it was  
15 originally set up, the Legislature capped it at \$300  
16 million. And, in fact, the interest that was even  
17 generated from that fund did not accrue to the fund. It  
18 went directly to the general fund.

19 Thankfully, under the leadership of the local  
20 legislators in Long Beach, the State Lands Commission as  
21 well as the Governor, we were able to modify that  
22 legislation last year and the Governor signed the bill  
23 where that cap was lifted. So now, the \$2 million each  
24 month gets reinvested into that oil liability trust fund.  
25 We will still continue to be woefully short, especially if

1 we look towards 2035, 2045. And that is something that we  
2 are constantly evaluating what the State's liability is in  
3 coordination with the City of Long Beach and continually  
4 working with our partners in the Governor's office, in the  
5 Department of Finance and the legislature, so we can try  
6 to plan accordingly, but it is a really tough challenge  
7 that we're facing.

8 COMMISSIONER COHEN: Right. I think you just  
9 restated what I was stay -- what my --

10 EXECUTIVE OFFICER LUCCHESI: Um-hmm.

11 COMMISSIONER COHEN: -- what I was stating. And  
12 so -- in your closing, you said that it's the Governor's  
13 office, Department of Finance to kind of help us begin to  
14 find this answer, isn't that correct? Isn't that what I  
15 heard?

16 EXECUTIVE OFFICER LUCCHESI: Yeah, certainly, the  
17 Legislature and the Governor set out budget priorities and  
18 enact budgets every year. And so that's certainly who we  
19 worked through to plan for the future, especially  
20 liability protection and abandonment costs for the Long  
21 Beach Unit.

22 COMMISSIONER COHEN: So my question goes back to  
23 Ms. Miller. Has the Governor taken a position, or said  
24 anything, or -- he says many things, so I don't profess to  
25 know everything on -- particularly on this topic though.



1 What -- what is -- what's the thinking in the office, you  
2 know, around these liabilities that we are on the hook  
3 for?

4           ACTING COMMISSIONER MILLER: Well, I think  
5 it's -- thank you again, Madam Controller. I mean, I  
6 think Ms. Lucchesi spoke to the way that we're working  
7 towards solving this, the issue in Long Beach. This is a  
8 little bit different because of the agreement we have with  
9 Long Beach and Long Beach's ability to impose their own  
10 taxes. So this is certainly not only a State of  
11 California question. This is also a Long Beach question.  
12 And they are a partner in this and we continue to work  
13 together - they know that as well - in order to solve the  
14 budget shortfall and meet the obligations, which as you  
15 point out, especially -- and Long Beach knows better than  
16 anyone. I'm looking to Mr. Dowell -- the incidence of  
17 everything they're doing, and who it falls on, and the  
18 environmental justice concerns.

19           COMMISSIONER COHEN: Um-hmm.

20           ACTING COMMISSIONER MILLER: So we look to Long  
21 Beach to continue to partner with them as that is the  
22 source of revenue that we're talking about here as well.  
23 And fortunately the vote we're taking today is -- is a  
24 fairly Byzantine and routine part of the process to  
25 approve what the -- what Long Beach just did. But the

1 closing -- the delta between Long Beach and the State is  
2 absolutely a priority. It is not only on the State of  
3 California.

4 COMMISSIONER COHEN: Okay.

5 ACTING COMMISSIONER MILLER: And this is a  
6 different type of setup than we have with all our other --  
7 with all the other folks in the State. But yeah, I  
8 think -- appreciate the concern and look forward to  
9 partnership of the State Lands Commission to make sure  
10 that we resolve it together. And especially, Mr. Dowell,  
11 you're on the hook here, but we obviously are partners in  
12 a lot of ways with the City of Long Beach and do expect to  
13 continue to see that partnership.

14 COMMISSIONER COHEN: Thank you, ladies. Thank  
15 you. I'll turn it back over to you.

16 CHAIRPERSON KOUNALAKIS: Okay. Thank you so  
17 much. We are going to go to public comment, but one of  
18 the things that I would like to hear after public comment  
19 is of the eight areas where we are sending this back to  
20 the City of Long Beach asking for these items to be  
21 addressed, are there other items that we should also be  
22 asking for based on what we just heard from the Controller  
23 and may hear from the public comment period. So if you  
24 could, Ms. Wiemer, have the eight areas that we're looking  
25 at asking for these additional issues to be addressed,

1 have those slides ready if we need to go back to them.  
2 And with that, Nate, let me hand -- oh, I'm sorry,  
3 Commissioner Miller, was there anything else? Any other  
4 questions or comments?

5 ACTING COMMISSIONER MILLER: No, I'm -- I think  
6 that --

7 CHAIRPERSON KOUNALAKIS: Okay.

8 ACTING COMMISSIONER MILLER: And we could, Madam  
9 Controller, get a status update from the City on these  
10 questions of funding if we wanted to add that to the eight  
11 requirements.

12 CHAIRPERSON KOUNALAKIS: Okay. Nate, do we have  
13 public comment ready to go?

14 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

15 Yes, Madam Chair. Our first public comment comes  
16 from Cynthia Alvarez. Ms. Alvarez, if you may unmute  
17 yourself and begin your comments.

18 MS. ALVAREZ: Hello. My name is Cynthia Alvarez.  
19 I am the Chief of Staff to State Senator Lena Gonzalez,  
20 who is a proud representative of a portion of the City of  
21 Long Beach and also the author of SB 1137. First and  
22 foremost, I would like to thank the Commission for their  
23 time and to thank them for their thoughtful revisions  
24 proposed in the staff report 71, including the ask to  
25 include additional details as it relates to SB 1137 and

1 its impacts on well and reservoir management, asking for  
2 additional details when it comes to well abandonment and  
3 the costs associated with that abandonment, a plan to  
4 reduce the number of well reworks as we transition away  
5 from oil and gas by 2045, additional details in regards to  
6 environmental justice, and a detailed safety plan, an  
7 environmental risk plan to protect our most  
8 pollution-burdened communities, and more detail in regards  
9 to sea level rise and climate adaptation.

10 As you all know, the City of Long Beach is  
11 affected by a large level of pollution. And a lot of  
12 these -- a lot of this pollution exacerbated because of  
13 the multiple toxic emission sources from oil production,  
14 transportation corridors, and the port -- and from the  
15 ports. Recognizing this, the Senator Gonzalez champions  
16 Senate Bill 137, which created health protection zones of  
17 3,200 feet between sensitive receptors like schools,  
18 homes, playgrounds, hospitals, and nursing homes. In  
19 order to protect residents, we believe that oil operations  
20 should not be near that and that the annual plan should  
21 not include any development near these protection zones.

22 We appreciate the conversation that has been had  
23 today. Senator Lena Gonzalez's office stands ready to  
24 work in coordination with the State Lands Commission and  
25 the City of Long Beach on many items discussed. At the

1 end of the day, the Senator prioritizes health,  
2 environmental justice, and economic vitality of the  
3 region. We are also very interested to continue the  
4 conversations as it -- in regards to the liability  
5 conversations we had in regards to abandonment.

6 So we thank you for your time and we hope to  
7 continue the conversations and to work with all parties  
8 involved.

9 Thank you.

10 CHAIRPERSON KOUNALAKIS: Thank you.

11 Nate, the next speaker, please.

12 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

13 Yes, Madam Chair. Our next speaker is Jeannine  
14 Pearce. Ms. Pearce, you may unmute yourself and begin  
15 your comments.

16 CHAIRPERSON KOUNALAKIS: Nate.

17 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

18 Let's see. Ms. Pearce, if you unmute yourself,  
19 you can begin your comments.

20 In the meantime, I think we're going to go with  
21 Anna Christensen.

22 CHAIRPERSON KOUNALAKIS: Nate, can I ask you how  
23 many people so far do we have signed up to speak?

24 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

25 We have three more additional people.

1 CHAIRPERSON KOUNALAKIS: Okay. Thank you.

2 Are you able to see them on your screen?

3 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

4 Yes, I'm just promoting them here to speak. Anna  
5 Christensen, if you unmute yourself, you can begin your  
6 comments.

7 MS. CHRISTENSEN: Oh, wait. I'll do my video  
8 too. Hold on.

9 Yeah, thank you very much for listening. I spoke  
10 with you about a week ago at your special meeting from the  
11 Los Cerritos Wetlands Taskforce of Sierra Club. I hope  
12 you had a chance to review of not only the city council  
13 video that I sent you of the discuss -- our discussion  
14 before the city council when they approved this five-year  
15 plan, but also the concerns we raised at that time. And I  
16 know that you've received a lot, including from Josh  
17 Lowenthal and Lena Gonzalez's office. And what we're  
18 seeing here in Long Beach is that we're really working as  
19 a community, not only a community of residents but also of  
20 activists, that are wanting the focus to really come to  
21 the seventh largest city in California regarding not only  
22 the way we are -- have to bear the pollution burden that  
23 was just discussed, but also the impact of being what we  
24 were, even as late as the 1960s, the Saudi Arabia of the  
25 United States.

1           It was this area Long Beach and Seal Beach that  
2 produced so much oil, you know, forests of oil wells. And  
3 without going into more about that, what I do want to say  
4 is looking this over when it came to the section on  
5 environmental -- on safety concerns, I still feel that the  
6 language is rather limited to basically checking the nuts  
7 and bolts of the production. And I think that what we  
8 need is a change of conscience as what does it mean to be  
9 safe? What -- does it just mean that the machinery that  
10 produces a toxic substance is working correctly? Because  
11 we know that oil itself, the fuel itself, even if there  
12 were no emissions into the water, even if there were no  
13 explosions, or leaks, or leaking pipes, or anything is the  
14 substance that we have to stop producing. We have to  
15 leave oil in the ground. This is the only safe thing to  
16 do globally.

17           So Long Beach can't pretend nor can, you know,  
18 the State -- the State of California pretend that we can  
19 somehow balance -- have a balance out sheet while we  
20 continue to produce a toxic substance. And so what I  
21 would say in just financially, so why do we do this?  
22 Well, there's a financial gain. The financial gain is  
23 incredibly small. The concerns of our city manager and --  
24 that we are going to lose this incredible amount of  
25 revenue simply isn't true. It's -- I think it's only less

1 than about 54 million in a year, but the cost is  
2 expensive. I mean, we have a profit sheet. We have an  
3 expenditure sheet and then we have the income sheet, but  
4 the profit is rather small. I'm sure that there are ways  
5 to make this up.

6 Last -- my last point would be that if we're so  
7 concerned about this setting aside tidelands funds, then  
8 let's not set aside 61 million for a fancy pool in the  
9 richest, whitest part of town. We can save money other  
10 ways, right? We don't need this revenue. Thank you very,  
11 very much. Appreciate it.

12 CHAIRPERSON KOUNALAKIS: Thank you very much.

13 Nate, the next speaker, please.

14 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

15 Madam Chair, our next speaker is David Marrett.  
16 David, you may unmute yourself and begin your comments.

17 MR. MARRETT: Hello. My name is David Marrett.  
18 I do not live in Long Beach. I'm active in Long Beach.  
19 I'm a retired high school science teacher and university  
20 professor. I live downwind from Long Beach, which I have  
21 for about 40 years. I raised my family downwind from Long  
22 Beach and now I have grandchildren.

23 So I'm not speaking for myself. I'm speaking for  
24 the young people who breathe the smog from the  
25 petrochemical industry in LA and Long Beach. And I think



1 that it's pretty clear what we need to do here. The State  
2 Lands Commission needs to assert its authority. We need  
3 to phase out oil within five years, enforce the 3,200 foot  
4 setback limit, and have the industry apply for CEQA.

5 That's all I have to say. Thank you.

6 CHAIRPERSON KOUNALAKIS: Thank you very much.

7 Nate?

8 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

9 Madam Chair, our next comments come from the  
10 Center for Biological Diversity.

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

12 CHAIRPERSON KOUNALAKIS: Yes, we can hear you.

13 MR. BRADSHAW: Hi. This is Brady Bradshaw with  
14 the Center for Biological Diversity. I am -- I've been  
15 promoted to a panelist, so I need to get this out of my  
16 full screen. Okay. There we go. Thanks.

17 Yeah, so the Long Beach Unit Program Plan as  
18 written, it fails to address the climate extinction and  
19 health crises, and focuses on maximization of profits at  
20 the expense of human health and the global climate.  
21 Several city council members stated during the meeting  
22 that their hands were tied when it came to passing this  
23 unfortunate plan. And city staff stated that State Lands  
24 has the authority to make changes to the plan and send it  
25 back. This is a quote from Richard Anthony, Principal

1 Deputy City Attorney for the City of Long Beach, "The  
2 State Lands Commission has a very clear right to make  
3 changes to it and send it back to the city", end quote.  
4 Apparently, the City is leaning on you for leadership.

5 The presentation said that the Commission has  
6 quote/unquote "Limited review", but Chapter 941 still  
7 states clearly that the SLC has the power to revise the  
8 plan. Why did the staff presentation exclude the word  
9 "revise" from the presentation? Bob Dowell, who has a  
10 history of working for oil companies seemed to like that.

11 So first, I do want to thank City staff for  
12 truthfully reporting that the Long Beach Unit's oil and  
13 gas operations are a source of air pollution that affects  
14 the public health, safety, and environment of the  
15 surrounding communities. Oil drilling near communities is  
16 morally indefensible and the SLC should require this plan  
17 to deny any development in that zone as specified by SB  
18 1137.

19 Staff recommended reducing well redrills by 2045.  
20 Realistically, a full phaseout needs to happen in the next  
21 five years, because the climate crisis is driving mass  
22 extinction of species and human cultures today, but this  
23 plan would ramp up production by almost one million  
24 barrels of oil compared to the previous five-year plan.  
25 This plan will create more than 12 million metric tons of

1 CO2, so the SLC needs to require this reduction explicitly  
2 and rapidly. Finally, this plan is subject to CEQA. But  
3 the current process to formalize the plan would illegally  
4 bypass CEQA. When asked about the SLC's responsibility to  
5 conduct CEQA review on this plan, an attorney for the SLC  
6 told us that CalGEM would handle it, but CalGEM has  
7 systematically failed to conduct environmental review on  
8 new wells and rework wells. And we have no reason to  
9 believe that they'll start now.

10 Please strengthen the staff recommended revisions  
11 to require the immediate implementation of health and  
12 safety buffer zones and require the phaseout of oil  
13 extraction on the Long Beach Unit over the five-year  
14 period.

15 Thank you.

16 CHAIRPERSON KOUNALAKIS: Thank you.

17 Next speaker, please.

18 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

19 Madam Chair, our next speaker is Ann Cantrell.  
20 Ann if you can raise your Zoom hand please so we can  
21 identify you and we'll come back to you for your comments.  
22 In the meantime, Nicole Levin, you can unmute yourself and  
23 begin your comments.

24 MS. LEVIN: Hi. My name is Nicole Levin and I'm  
25 calling on behalf of the National Sierra Club. I want to

1 thank the Lieutenant Governor and State Controller for  
2 your very thoughtful questions on this issue and thank you  
3 for having us.

4 We are incredibly concerned with this five-year  
5 plan. It is based on outdated contracts from the last  
6 century, which fail to evaluate the environmental and  
7 public health costs of continued drilling. There has  
8 never been -- as my colleague, Brady at the Center for  
9 Biological Diversity was saying, there's never been an  
10 environmental review of this project.

11 Your revisions are a first great step, but we do  
12 believe that you have more power here to not just suggest  
13 them, but to actually require them. From Chapter 941 of  
14 the statutes of 1991, the plan shall be subject to review  
15 and revision by the Commission for consistency with good  
16 oil field practice that Optimize Water Flood -- Water  
17 Flood Program and the Long Beach Unit and unit operating  
18 agreements and environmental and safety concerns. I'd say  
19 there are some environmental and safety concerns here.

20 Last week, a study out of UC Berkeley by Dr.  
21 David González found that Black people in California are  
22 more likely to live near oil drilling. This is on top of  
23 many other studies throughout the last few years that have  
24 found increased public health risks associated with living  
25 near oil drilling. And last month, a report came out from

1 the UN's IPCC -- the UN's IPCC report that  
2 international -- Intergovernmental Panel on Climate Change  
3 found that we don't stop drilling, we don't leave all the  
4 oil in the ground, we're going to face catastrophic  
5 consequences and an unlivable planet.

6 We really encourage your -- the State Lands  
7 Commission to enact these changes, to revise the plan  
8 themselves, because the Energy Resources Department on  
9 their website says that their goal, their mission  
10 statement is to maximize oil production and profits. I do  
11 really think that we need some State intervention here.

12 We -- I'd like to echo the calls of my colleague  
13 to change the revisions to require an immediate  
14 implementation of the 3,200-foot phaseout buffer -- or the  
15 3,200 foot buffer zone for new oil drilling and call for a  
16 phaseout of oil drilling over the five years instead of an  
17 expansion of it.

18 Thank you so much, and -- yeah.

19 CHAIRPERSON KOUNALAKIS: Nate, is there anyone  
20 else who would like to address the Commission on this  
21 item?

22 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

23 Yes, Madam Chair. Our next comments come from  
24 Morgan Goodwin. Morgan, you man unmute yourself and begin  
25 your comments.

1 MR. GOODWIN: Hello, Commissioners. Thank you so  
2 much for taking our comments on this important item. My  
3 name is Morgan Goodwin and I am the Sierra Club's Angeles  
4 Chapter Director. I support our thousands of members and  
5 staff in LA and Orange counties to fight for the  
6 environment, and very proud to echo the comments you've  
7 already heard.

8 I do want to add just a note of appreciation. As  
9 a former city council member and elected official, I  
10 wanted to comment and appreciate how well run this meeting  
11 is. I am just very impressed at how well you all are  
12 looking through these difficult topics.

13 And I appreciate the staff recommendations to ask  
14 Long Beach to revise the plan to take into consideration  
15 sea level rise environmental justice concerns and others.  
16 And I do acknowledge, as somebody has said, that this is a  
17 somewhat Byzantine, I think the word was used, step in a  
18 legal process, where the Long Beach plan is reviewed by  
19 you all. I want to emphasize that and say that our  
20 current climate and ecological crisis does demand that we  
21 pursue more aggressive, more creative, more innovative  
22 legal means to bring our climate emissions and  
23 environmental destruction under control.

24 The Mauna Loa Observatory, one of the world's  
25 official sources for carbon emissions hit 423 parts per

1 million today. That is still going up and it's going up  
2 quickly and that's very scary. And so I would echo my  
3 colleagues in saying that you all have the power to  
4 require Long Beach to go further than they have gone by  
5 denying any development within the 3,200-foot buffer zone  
6 now and not waiting for the State law to take effect and  
7 require the full phaseout of oil drilling in Long Beach as  
8 the City of LA as the County of LA have already committed  
9 to doing. And I appreciate your support on this. And the  
10 Sierra Club has your back as aggressively as you would  
11 like to move on this topic.

12 Thank you very much.

13 CHAIRPERSON KOUNALAKIS: Nate, is there anyone  
14 else who would like to address the Commission on this  
15 item?

16 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

17 Yes, Madam Chair. We have six additional  
18 comments. Our next comments will come from Jeannine  
19 Pearce. Jeannine, you may unmute yourself and begin your  
20 comments.

21 MS. PEARCE: Thank you so much. Apologies for  
22 earlier. I was out of cell phone range. Jeannine Pearce.  
23 I'm the prior councilwomen for the Second District in the  
24 City of Long Beach that covers the Port, as well as the  
25 oil islands.

1           And I want to say how much I appreciate staff's  
2 work on this item and echo the comments before me. I  
3 think I would add, in addition to asking that this  
4 Commission require Long Beach to revise their plan is that  
5 in Long Beach, there's -- the challenge for the council  
6 that is a part-time council is that they were given very  
7 short notice about this plan and this has historically  
8 been the case, so that the elected members of the City  
9 have very little insight to the process of our contracts  
10 when it comes to oil drilling. It very much comes up at  
11 the last minute. And when council, like this council  
12 that's in place now said, this is literally due to the  
13 State in three days, the response was, yeah, this is due  
14 in three days, and there's nothing else that we can do  
15 about it. This is what we are required to do.

16           When the council said we're committed to getting  
17 off of oil, we're committed to our BIPOC communities, the  
18 staff returned to them and said we are doing exactly what  
19 we're required to do. The City attorney came around and  
20 said this Commission can direct the City of Long Beach to  
21 revise their plan. And so we really are asking you guys  
22 to direct the city to revise their plan. I know there's  
23 conversations about the City redoing contracts. I know  
24 there's frustration on the Council with the lack of  
25 information that they have, the lack of time that they



1 have to consider these things, and the different facts  
2 that are being presented to them.

3 And so you as the State Lands Commission, I know  
4 our senators have leaned in and engaged with the council  
5 and the city, we're really asking you to follow with  
6 staff's recommendations. And I really want to say how  
7 much we appreciate staff highlighting all seven points. I  
8 think all of them are really key. And with that, I will  
9 close my comments. Thank you, everyone.

10 CHAIRPERSON KOUNALAKIS: Thank you.

11 Nate, next speaker, please.

12 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

13 Our next speaker is Pete Marsh. Pete, you may  
14 unmute yourself and begin your comments.

15 MR. MARSH: Good afternoon, commissioners and  
16 staff. Thank you very much. First, my name is Pete  
17 Marsh. I live in Long Beach's Second District. My three  
18 granddaughters, Hazel, Willomina, and Olivia live within  
19 2,000 feet of existing wells in Long Beach, far closer  
20 than the 3,200 foot SB 1137 setback. I'm also leader of  
21 the local Long Beach Chapter of Citizens' Climate Lobby.

22 I want to thank you and applaud staff's and  
23 commissioners' comments that are beginning to reverse a  
24 perverse distortion of reality, which is we have been  
25 addressing risk backwards, risks to the operations of oil

1 drilling, not risk from oil operations to humans and  
2 ecosystems. So I applaud Commissioner Cohen's suggestion  
3 of adding an element that considers the social cost of oil  
4 operations, not just in Long Beach and let's not forget  
5 Kern County.

6           So what is the true cost of fossil fuels?  
7 According to the World Bank, 2021 global GDP was \$96  
8 trillion. International Monetary Fund says that fossil  
9 fuel subsidies in recent years are direct work have been a  
10 half a trillion. They approached a trillion during the  
11 pandemic. And indirect subsidies, which is primarily  
12 undercharging for the health and environmental costs that  
13 societies pay is 6.3 percent of GDP over \$5 trillion. So  
14 that's what we are paying to clean up the mess from oil  
15 operations.

16           How does that translate to Long Beach? Well,  
17 according to U.S. Bureau of Economic analysis, the 2021  
18 Gross Domestic Product for the Los Angeles/Long Beach  
19 metro statistical area was \$1.1 trillion, Population 13  
20 million. So if our residents, which is 3.6 percent of the  
21 MSA population, if GDP is roughly proportionate, then Long  
22 Beach GDP is around \$40 billion. And if our share of the  
23 health environmental costs matches 6.3 percent of GDP,  
24 then fossil air pollution is dragging down Long Beach's  
25 economy and wellness by \$2.5 billion per year. What about

1 mortality, that multiple peer-reviewed studies are  
2 concluding that air pollution from fossil fuel -- forget  
3 about greenhouse gases. This is just PM2.5 and related  
4 pollutants, causes eight to nine million premature deaths  
5 globally in 20 -- recent years. That's 20,000 deaths per  
6 day thanks to the oil industry.

7           If Long Beach residents die in the same  
8 proportion as the rest of the world, then that's every  
9 year, we're killing 470 of our neighbors. So  
10 commissioners asked who's going to pay for it? We all are  
11 as society already. But let's start forcing the  
12 companies, which have profited handsomely for decades to  
13 pay as much as possible while they're still making money  
14 before we enter the cycle of vulture capitalism that we've  
15 seen in the last decade and a half in the coal industry.  
16 Thanks so much.

17           CHAIRPERSON KOUNALAKIS: Thank you very much.

18           Nate, next speaker, please.

19           ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

20           Our next speaker is Sona Coffee.

21           MS. COFFEE: Hi. Good afternoon. Thank you,  
22 Honorable Lieutenant Governor and commissioners for your  
23 thoughtful consideration of this item. My name is Sona  
24 Coffee and I serve as a Sustainable City Commissioner for  
25 the City of Long Beach. I also live within 600 feet of an

1 existing oil well. And I really appreciate the work of  
2 the Commission staff on this important issue. Staff  
3 identified eight areas that are not adequately addressed  
4 in the Long Beach plan. And these are things that we need  
5 to meet health, safety, and environmental justice  
6 requirements. And I strongly encourage you to direct the  
7 city to make these changes identified to create a plan  
8 that will protect our community and develop a solid way  
9 forward for the future.

10 Our Sustainability Commission was directed by  
11 former Mayor and now Congressman Garcia to review a plan  
12 to phase out oil operations as the City and State move  
13 towards a clean energy future. However, after several  
14 years of requests for action on this assessment, those  
15 plans are still not being developed by the city. The most  
16 recent presentation from the City staff focuses on  
17 financial responsibilities and well abandonment costs that  
18 will be borne by the City and the State, and which you  
19 discussed earlier this afternoon.

20 Instead of planning for the phaseout of oil  
21 operations and focusing our efforts on identifying  
22 alternate revenue sources, city staff continue to increase  
23 oil operations and state that these operations are needed  
24 to bring in the revenue that will then be used for future  
25 well abandonment. It's a shortsighted way of looking at

1 the issue that does not set up the city or the State to be  
2 prepared for a clean energy future or protect our  
3 communities that are most at risk.

4 California is the only major oil producing state  
5 without health and safety buffers between oil drilling  
6 sites and homes, schools, parks, hospitals. Long Beach  
7 really needs these overdue health protections. I support  
8 the Commission's review of this issue and ask that this  
9 body make strong recommendations to the City of Long Beach  
10 to incorporate a safety buffer zone and also consider a  
11 CEQA review of continue -- continued and expanded oil  
12 operations. This Commission can provide the city the  
13 direction that it needs to maximize health, safety, and  
14 environmental justice over oil profits.

15 Thank you.

16 CHAIRPERSON KOUNALAKIS: Thank you very much for  
17 your comments.

18 Nate, next speaker, please.

19 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

20 Madam Chair, we now have five more speakers. Our  
21 next speaker is Paulo Pawaligan.

22 MR. PAWALIGAN: Hello. Good afternoon. I'd like  
23 to thank you all for giving me this opportunity to speak  
24 on this topic. My name is Paulo Pawaligan. I am a  
25 resident of Long Beach. I live in Cambodia Town, District

1 6.

2 And I just wanted to, you know, thank you guys  
3 for asking these very insightful questions. And I wanted  
4 to underscore, you know, that the SLC does have this  
5 responsibility and this ability to exercise its oversight  
6 on this plan. And so I would like to kindly ask for you  
7 all to consider strengthening the revisions to the LBU  
8 program plan to phase out production in five years and  
9 deny development within the 3,200-foot health and safety  
10 setback zone.

11 Additionally, I believe that we should require an  
12 environmental review under the California Environmental  
13 Quality Act. And beyond that, I heard a lot of commentary  
14 about the concern for revenue and the concern for who's  
15 going to pay these costs. I also think that part of this  
16 plan, we should consider identifying additional revenue  
17 streams in an effort to both bolster the endowment and  
18 look to the future, something like thinking about  
19 renewable energy sources that can take the place of these  
20 fossil fuel revenue.

21 My fellow commentators mentioned the fact that  
22 climate change is upon us. You know, this winter has been  
23 especially -- has been kind of brutal for many communities  
24 around the state. And I know we have wildfires during the  
25 summer during the droughts. And if we don't stop now,

1 these won't just be outliers. This will be the norm. The  
2 City of Long Beach and the SLC has the ability to be  
3 leaders in the country -- not only in the country, but in  
4 the world. And I think we should take this opportunity to  
5 work together to come up with a plan to get off fossil  
6 fuels to look forward towards a brighter tomorrow.

7 Thank you again.

8 CHAIRPERSON KOUNALAKIS: Thank you very much.  
9 Nate, may we have the next speaker, please?

10 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

11 Our next speaker is Indira. Indira, you may  
12 unmute your yourself.

13 INDIRA: Hi. Can you hear me?

14 Okay. So, first, I just want to echo all the  
15 comments that you have heard today. You know, I  
16 completely agree the Commission must absolutely strengthen  
17 the revisions to the Long Beach program plan to phase out  
18 production, phase out oil production in five years and  
19 deny development within that 3,200-foot health and safety  
20 setback plan. That passed and I know that it's going to  
21 be on the ballot in 2024, but let's think about the reason  
22 for why that is. It's because big oil got mad. They  
23 didn't like that. They knew that they'd lose profit from  
24 that and so they sent out a bunch of signatories --  
25 signatory petitioners to get petitions to get that on the

1 ballot to get that law overturned and really manipulated  
2 Californians by telling them, you want lower gas prices,  
3 and we all want lower gas prices, and people signed that  
4 without realizing that they were signing something to  
5 overturn a law that could literally affect their public  
6 health. I mean all of us suffer, right? We're all at  
7 stake with this lay.

8           So, I really appreciate the comments that are  
9 being said. I just -- I completely echo all of them. You  
10 know, the public health not oil profits should be the  
11 utmost priority, just not profit. Like, that's just  
12 common sense. That's the right thing to do. That's the  
13 moral thing to do. And when we talk about the public  
14 health, you know, and the diseases that one can get from  
15 oil drilling, you know, this isn't like -- these are  
16 awful, awful diseases and they're painful, and they can  
17 include respiratory illness, cardiovascular disease,  
18 leukemia, lung cancer, nervous system damage. These are  
19 just a few.

20           And so these are something that the State Lands  
21 Commission should really, you know, think about when  
22 revising this plan. So just I know that the recommended  
23 revisions are requiring Long Beach to identify, assess the  
24 impacts from Senate Bill, you know, 1137, but you -- you  
25 actually just have this authority to really assert your



1 authority to revise the plan to just stop drilling near  
2 homes.

3           And that's really just all we're asking for is, I  
4 mean, all of my fellow commentators are absolutely right.  
5 And we all know this. The climate crisis is incredibly  
6 real. It's a huge threat and it's -- it's getting -- it's  
7 getting worse and worse, unless -- and it keeps getting  
8 worse and worse unless you do something. And this is  
9 something that you can clearly do, so please like, you  
10 know, don't wait for the 2024. Well, of course, I think  
11 that will pass. It should. But it is legislation. You  
12 know, you can set an example. And California is the only  
13 major oil producing state without health and safety buffer  
14 zones between oil drilling sites, homes, schools, parks,  
15 hospitals, and other sensitive areas.

16           And I just -- I really hope, yes, the State Lands  
17 Commission, please, get Long Beach to revise this plan, to  
18 stop this oil drilling, phase it out within five years,  
19 prioritize their public health, prioritize people over  
20 profits and actually mean it.

21           Thank you.

22           EXECUTIVE OFFICER LUCCHESI: Nate, can you please  
23 call the next public commenter.

24           ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:  
25           Our next speaker is Ann Cantrell.

1 MS. CANTRELL: Good afternoon. Ann Cantrell,  
2 Sierra Club, Los Cerritos Wetlands Taskforce.

3 On March 21st, 2023, the Long Beach City Council  
4 was told that Chapter 138 of State law passed in 1964  
5 demands that the City quote, "Optimize economic recovery  
6 of resources", unquote, in other words, produce as much  
7 oil and gas as possible to make money for the contractors,  
8 the State, and the City. The plan also supposed to  
9 maintain excellence in safety and environmental  
10 protection. But these plans before you today contain no  
11 mention of public health and safety, climate change, or  
12 air and water impacts. When this law was passed 58 years  
13 ago, the health and environmental problems created by  
14 fossil fuels were unknown.

15 Recently, Culver City, the City of -- and County  
16 of Los Angeles -- and the City and County of Los Angeles  
17 voted to phase out oil production. However, Chapter 138  
18 prevents Long Beach from doing this. Long Beach is the  
19 only city in California with the mandate to produce oil  
20 and gas for the State. This needs to change. We are very  
21 grateful to staff for the eight suggested changes. We  
22 would also ask that the State Lands Commission further  
23 strengthen the revisions to the Long Beach Program Plan to  
24 phase out production in five years and deny development  
25 within the 32,000 -- 3,200-foot health and safety setback

1 zone.

2 Thank you very much.

3 EXECUTIVE OFFICER LUCCHESI: Nate, can you call  
4 the next speaker, please.

5 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:  
6 Our next speaker is Jan Victor.

7 MX. ANDASAN: Hello. Can you hear me?

8 EXECUTIVE OFFICER LUCCHESI: Yes, we can.

9 MX. ANDASAN: Awesome. Thank you. Thank you for  
10 all those that have spoken. Thank you, Commissioners for  
11 having this opportunity to speak. My name is Jan Victor  
12 Andasan. I am a member and community organizer with East  
13 Yard Communities for Environmental Justice, where I focus  
14 on working and organizing residents in the City of Long  
15 Beach, Wilmington, and South Bay Region to address  
16 industrial pollution from various facilities to create  
17 healthier neighborhoods. I'm here to advocate on behalf  
18 of my organization and many of the residents that have  
19 been affected by fossil fuel production.

20 A little bit about myself. I immigrated from the  
21 Philippines almost three decades ago and moved to Long  
22 Beach where I grew up right next to multiple sites of  
23 pollution, like freeways, railyards, and a fossil fuel  
24 production facility, which we know as refineries, which is  
25 part of this big system that I think everybody has been

1 touching on, right? That fossil fuel sites and petroleum  
2 production, oil drilling, all these things exist in our  
3 city. There is a connection to the way decisions are made  
4 in our city, and there are impacts to the people living  
5 next to it.

6 In the year -- in the first year we were in the  
7 U.S., my brother was born only to be born breathing  
8 through a nebulizer to be able to breathe at night. And a  
9 year after I came from the Philippines and living next to  
10 all these sites of pollution, I developed asthma. And so  
11 I appreciate the questions that were posed around the  
12 public health risk, especially as somebody that is  
13 Filipino, that many Black, Brown, people of color  
14 communities are often affected with, that we need to take  
15 action and we are so glad that there is this thoughtful  
16 questioning and also opportunity to have this plan be  
17 revised, to have it be strengthened, so that there are  
18 revisions to protect the health and safety of residents,  
19 and create that -- keep that buffer, right, that many  
20 people have fought for.

21 And also, I know many have asked for an  
22 environmental review, because this plan needs it. An  
23 environmental review is meant to prevent harm to  
24 communities that have dealt with and been overburdened by  
25 pollution. And while THUMS Island occupies different

1 parts of Long Beach and affects multiple communities, it's  
2 important to know those at the fenceline and front line of  
3 multiple sites of facilities are compounded by this site  
4 and many others.

5 And so what we need all to do is to take action  
6 to get Long Beach to not just make these changes, but  
7 really start to look at how we transition out of this  
8 relationship to fossil fuel, which the costs and money  
9 that is made from these sites are not worth the death, and  
10 the cancers, and the asthmas that we have to deal with.  
11 And so I stand alongside many of the residents, the  
12 commissioners, those in various committees that have been  
13 speaking for you all to take not just this action and send  
14 it back, but for us to get the best possible plan, so we  
15 don't continue Byzantine practices of moving plans along  
16 without thoughtfully questioning them, because we need to  
17 question plans that harm people and needing to make sure  
18 that they prioritize people not profit.

19 Thank you for this time and I urge you to vote  
20 on -- in solidarity with the community. Thank you.

21 ACTING CHAIRPERSON DURLAO: Hey, everyone. My  
22 name is Matt Dumlao. I'm the Lieutenant Governor's Chief  
23 of Staff. We're just trying to sort out some technical  
24 difficulties here with her feed. So I'm just going to  
25 jump in and ask if the next speaker is available to step

1 up, Nate, while we work on the technical issues.

2 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

3 Thank you, Chair Dumlao.

4 ACTING CHAIRPERSON DURLAO: Thanks.

5 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

6 Our next speaker is Victoria Tejeda.

7 MS. TEJEDA: Hi. Good afternoon. Victoria

8 Bogdan Tejeda. I'm an attorney with the Center for  
9 Biological Diversity and I have three quick comments.

10 The first is that what I don't want for the  
11 Commission to do today is to vote to approve staff report  
12 71 without making other changes, and those changes should  
13 reflect what we've heard in public comments today, I --  
14 what we heard from Commissioner Cohen, who I think had  
15 excellent suggestions, and that I think there needs to be  
16 changes to a number of recommendations in staff report 71.  
17 So I urge the Commissioners to really look at that  
18 language.

19 So, for example, while the Commission recognizes  
20 that environmental justice is a factor here, the change  
21 that they're sending back to Long Beach is only asking  
22 them to quote, "Add more detail to ensure against safety  
23 or environmental risks". And what does that mean that the  
24 City of Long Beach should add more detail to a plan for  
25 oil and gas drilling and how does adding more detail do

1 anything to advance environmental justice. So that leaves  
2 Long Beach with quite a bit of discretion, and that  
3 concerns me going into my second point, which is that we  
4 heard the Commission today say that the process for  
5 revisions is unclear.

6 And so while the City of Long Beach is obligated  
7 either to adopt the changes from the Commission or bring  
8 those to court, it seems as if there is not clarity then  
9 on what happens if the City of Long Beach makes these  
10 changes. And since right now, the language of the changes  
11 is so open-ended, does the Commission get to review those  
12 again? Is there more public process? I think that that  
13 needs to be worked out, and be put in writing, so that the  
14 public and others know exactly what is happening here and  
15 the flow of approvals of these plans.

16 And then finally, I'll echo what others have  
17 said, which is it's simply bewildering and egregious that  
18 there has never, ever been CEQA on any of these plans.  
19 And in 1991, that's when the five-year plans started.  
20 That's after CEQA came into existence. And these plans  
21 have significant impacts and there needs to be review.  
22 And if the State Lands Commission doesn't think it has  
23 authority, I'm not hearing Long Beach step up to say it  
24 has authority. The two entities need to work that out  
25 among each other, because that is what the law requires.

1           Thank you.

2           CHAIRPERSON KOUNALAKIS:  Nate.  All right, sorry,  
3   somehow I was moved to the webinar, but I was able to hear  
4   all the comments.

5           Is there anyone else, Nate, who would like to  
6   address the Commission on this item?

7           Nate, is there anyone else who would like to  
8   address the issue, the item?

9           ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

10          Yes, Madam Chair.  Our next speaker is Catherine  
11   Ronan.

12          Catherine, you may unmute yourself and begin your  
13   comment.

14          MS. RONAN:  Can you hear me?

15          Can you hear me?

16          CHAIRPERSON KOUNALAKIS:  Yes.  Yes, we can hear  
17   you.  Please go ahead.

18          MR. RONAN:  I applaud the staff's acknowledgement  
19   that the plan needs substantial revision.  I especially  
20   note their statement that quote, "The Long Beach Unit's  
21   oil and gas operations are a source of air pollution that  
22   affects the public health, safety, and environment of the  
23   surrounding communities in Long Beach."  The city's five  
24   year plan submitted to you was a business-as-usual,  
25   drill-baby-drill plan, which did not even mention the



1 impact and costs related to residents' health and the  
2 climate of releasing carbon dioxide and toxins, such as  
3 nitrous oxide. Forcing the city to acknowledge the harm  
4 it causes by drilling for oil is a good first step, but we  
5 need real action to stop development within the 3,200-foot  
6 health and safety setback zone immediately and to phase  
7 out production in five years.

8           We seem to be at an impasse as far as taking  
9 action. The Commission staff claims they can't tell the  
10 City what to do. The city maintains its hands are tied,  
11 because they're legally required to maximize production  
12 and profits. However, this can't possibly be the case,  
13 because their plan actually states that their planning  
14 must include consideration for people, health, and safety,  
15 and environmental protection, which is clearly  
16 incompatible with maximizing production and profits. A  
17 true consideration could lead only to one conclusion, it's  
18 time to stop drilling within the 3,200-foot setback zone  
19 and a five-year phaseout must commence immediately. The  
20 city's current quote "plan" is to drill until the oil, all  
21 \$2 billion worth, runs out. That is not acceptable.

22           I urge the Commission to meet with City staff and  
23 elected officials to make this clear. If existing  
24 legislation needs to be amended, please let us know what  
25 is needed to give you the power to order what is needed to

1 protect people, health and safety, and environmental  
2 protection.

3 Thank you.

4 CHAIRPERSON KOUNALAKIS: Thank you very much.

5 Nate, is there anyone else who would like to  
6 address the Commission on this item.

7 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

8 Madam Chair, there are no additional speakers for  
9 this item.

10 CHAIRPERSON KOUNALAKIS: Okay. So let me just  
11 start by thanking everyone who came out to speak today  
12 before us and to share your thoughts and your concerns.  
13 Very, very thoughtful comments from the public and from  
14 organizations represented by the speakers who came here to  
15 talk to us.

16 I really do commend again the staff for both  
17 recognizing the need for additional work to be done on  
18 this plan and being able to make that consistent with what  
19 we do know is within the Commission's authority, which is  
20 to send the plan back -- not accept it, but send the plan  
21 back for additional work to be done to answer the  
22 questions that we heard raised here, in particular, the  
23 issues surrounding the impacts to communities and  
24 individuals who live close to oil and gas operations.

25 So I think that the eight areas, big broad issues

1 with specific questions that we've asked for cover what I  
2 believe we need to be asking and I think what we heard  
3 from the public. So I do intend to support this item.  
4 And while there are questions around progress, we do know  
5 that we have the authority to send the plan back with a  
6 request that these issues be addressed. So with that, I'd  
7 like just to ask one more time, commissioners, whether or  
8 not before we have a motion and a second, any other  
9 questions or comments from you?

10 Yeah.

11 ACTING COMMISSIONER MILLER: Madam -- go ahead  
12 Madam Controller.

13 COMMISSIONER COHEN: May I go?

14 CHAIRPERSON KOUNALAKIS: Yes.

15 COMMISSIONER COHEN: Okay. Thank you, Ms. Miller  
16 and Lieutenant Governor. Thank you.

17 Question to the staff, does the State Lands  
18 Commission have jurisdiction to enforce Senate Bill 1137?

19 EXECUTIVE OFFICER LUCCHESI: Not technically.  
20 That bill, while it is law, it's implementation has been  
21 stayed by virtue of it qualifying for the 2024 ballot.  
22 And at its heart, 1137 applies to CalGEM and their ability  
23 to issue permits or not issue permits within that 3,200  
24 foot setback.

25 COMMISSIONER COHEN: Thank you for that

1 clarification. So I just want to make sure that the  
2 motion that the Lieutenant Governor made also incorporates  
3 the revisions that I had suggested implementing. So I  
4 guess my question is a point of clarification.

5 CHAIRPERSON KOUNALAKIS: Do you -- would you like  
6 to propose, Commissioner Cohen, an amendment to the staff  
7 recommendation?

8 COMMISSIONER COHEN: Yes. As I would have,  
9 someone is at the door, so give me one second and I'm  
10 going to organize my motion succinctly for you. So just  
11 give me one second.

12 CHAIRPERSON KOUNALAKIS: Okay. Do you have -- do  
13 you have those points?

14 COMMISSIONER COHEN: I know someone is at the  
15 door. Give me a second.

16 I'm sorry, what did you say?

17 CHAIRPERSON KOUNALAKIS: All right. No, that's  
18 no problem. Why don't we turn to Commissioner Miller and  
19 then we'll come back to you, Commissioner Cohen.

20 ACTING COMMISSIONER MILLER: Thank you, Madam  
21 Chair. Yeah, I also support the revisions that the staff  
22 suggests. I do think that some of the -- sincerely  
23 appreciate the support obviously for 1137. And obviously  
24 it's -- we -- the administration is hugely committed to  
25 seeing that bill through. So just appreciate the

1 willingness of folks to continue to work on that. I do  
2 think it's important that Long Beach, in addition to the  
3 revisions, one, friendly amendment would be that they  
4 explain the trust fund for the Controller's question and  
5 how that works because we did, we lifted the cap which  
6 is -- was a really significant bill from last year. But  
7 how we continue to work with Long Beach on the trust fund  
8 I think is an important potential revision that we could  
9 make to this in order for Long Beach to make sure that  
10 they've accounted for the trust fund. If that would be  
11 acceptable Madam Chair.

12 CHAIRPERSON KOUNALAKIS: Okay.

13 ACTING COMMISSIONER MILLER: And again,  
14 continuing the work on 1137 and making sure that we are  
15 holding folks accountable in terms the of the huge impacts  
16 and the incidence that falls on people of color and the  
17 poor neighborhoods. So sincerely look forward to  
18 continuing to work on that. So thank you very much.

19 CHAIRPERSON KOUNALAKIS: Okay. Thank you. So  
20 Ms. Lucchesi, do you want to -- oh here, we go. Ms.  
21 Lucchesi, you heard Commissioner Miller's suggestion. Do  
22 you want to, while we hear from Commissioner Cohen,  
23 consider how we might amend the current recommendation to  
24 change the motion, if necessary?

25 EXECUTIVE OFFICER LUCCHESI: I am happy to take a

1 stab at it, but I also want to defer to Commissioner Cohen  
2 if she wants --

3 CHAIRPERSON KOUNALAKIS: Yeah.

4 EXECUTIVE OFFICER LUCCHESI: -- to summarize  
5 first --

6 CHAIRPERSON KOUNALAKIS: Yeah.

7 EXECUTIVE OFFICER LUCCHESI: -- and then I can  
8 propose a motion for your consideration.

9 CHAIRPERSON KOUNALAKIS: Okay.

10 COMMISSIONER COHEN: Okay. I'm just asking that  
11 the motion consider two things, to include an element --  
12 to include an element that considers the social cost of  
13 extracting oil, and then second to ensure that the city  
14 collaborates with the local health department to fully  
15 account for the exposure to minority and historically  
16 excluded communities.

17 EXECUTIVE OFFICER LUCCHESI: So I would recommend  
18 that a motion be made to accept staff's recommendation --  
19 approve staff's recommendation with the addition of the  
20 two elements that Commissioner Cohen just mentioned and  
21 the addition of a section that details out the abandonment  
22 costs, decommissioning costs, and the Oil Trust Fund  
23 balance and projections to cover those costs as part of  
24 the ordered revisions to the Long Beach Unit Program Plan.

25 CHAIRPERSON KOUNALAKIS: Okay. Thank you. Do we

1 have a motion consistent with what Ms. Lucchesi just  
2 proposed?

3 ACTING COMMISSIONER MILLER: I'll move the motion  
4 with the -- consistent with the staff recommendation, plus  
5 the amendment on the trust fund, plus the two amendments  
6 from the Controller.

7 COMMISSIONER COHEN: That's great. Thank you.  
8 And I'll second that motion.

9 CHAIRPERSON KOUNALAKIS: Thank you. We have a  
10 motion from Commissioner Miller, seconded by Commissioner  
11 Cohen. May we have a roll call vote.

12 EXECUTIVE OFFICER LUCCHESI: Certainly.  
13 Commissioner Cohen?

14 COMMISSIONER COHEN: Aye.

15 EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

16 ACTING COMMISSIONER MILLER: Aye.

17 EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

18 CHAIRPERSON KOUNALAKIS: Aye.

19 EXECUTIVE OFFICER LUCCHESI: The motion passes  
20 unanimously.

21 CHAIRPERSON KOUNALAKIS: Thank you. Thank you  
22 very much.

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

24 EXECUTIVE OFFICER LUCCHESI: So as you may  
25 remember our two items were removed from the consent

1 agenda to move to the regular agenda. One of those items  
2 was Item 49 which is authorization for a lease to the City  
3 of San Buenaventura. At this time, a variety of questions  
4 have arised from some of the inquiries from our members of  
5 the public and we think it's more prudent for us to take  
6 the time to work through those questions with the members  
7 of the public and our own staff, and then be able to bring  
8 this back to the Commission at our June meeting. So if  
9 there's no objection by the Chair and the commissioners,  
10 I'd like to remove that item completely from the agenda  
11 and bring it back to the Commission in June.

12 CHAIRPERSON KOUNALAKIS: No objection from me.

13 EXECUTIVE OFFICER LUCCHESI: Excellent.

14 CHAIRPERSON KOUNALAKIS: I'm going to sneeze.  
15 I'm sorry.

16 Commissioner Cohen, any objection on removing --

17 COMMISSIONER COHEN: No. No objection.

18 CHAIRPERSON KOUNALAKIS: -- that item from the  
19 agenda?

20 Okay. So Item 63.

21 EXECUTIVE OFFICER LUCCHESI: Yes. Item 63 is  
22 also related to the City of Long Beach's Long Beach Unit.  
23 As part of the statutory framework and agreements that  
24 govern the Long Beach Unit, the City of Long Beach  
25 conducts various surveys and studies twice a year



1 throughout the Long Beach Unit Harbor District to monitor  
2 changes attributable to subsidence caused by the oil and  
3 gas extraction operations.

4 The costs for conducting these surveys and  
5 studies are deducted from the Long Beach tidelands oil  
6 revenues and require, through the various statutes, that  
7 the Commission approve these costs to monitor subsidence.  
8 We bring this cost request to the Commission twice a year  
9 and we believe that the costs associated with these  
10 surveys and the studies are reasonable, and that the  
11 information gained from this is very important to help the  
12 City and the contractor manage the subsidence at the -- at  
13 these locations to protect public health and safety. So  
14 with that, staff recommends that the Commission approve  
15 these costs as set forth in the staff report before you.

16 CHAIRPERSON KOUNALAKIS: Commissioner Cohen, do  
17 you have any -- Commissioner Miller, do you have any  
18 questions or comments?

19 ACTING COMMISSIONER MILLER: (Shakes head)

20 CHAIRPERSON KOUNALAKIS: Commissioner Cohen?

21 COMMISSIONER COHEN: Yes.

22 CHAIRPERSON KOUNALAKIS: Any questions or  
23 comments on that?

24 COMMISSIONER COHEN: No.

25 CHAIRPERSON KOUNALAKIS: Do we have a motion?

1 COMMISSIONER COHEN: So moved.

2 EXECUTIVE OFFICER LUCCHESI: Oh, Madam Chair, I'm  
3 sorry to interrupt --

4 CHAIRPERSON KOUNALAKIS: Oh, sorry.

5 EXECUTIVE OFFICER LUCCHESI: We did have a public  
6 comment on this.

7 CHAIRPERSON KOUNALAKIS: The public. Of course,  
8 excuse me.

9 Is there -- Nate, is there anyone who would like  
10 to address this issue before we move it?

11 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

12 Yes, Madam Chair. We have Anna Christensen.  
13 Anna, you may begin your comments whenever you're ready.

14 MS. CHRISTENSEN: You know what, I got -- can you  
15 hear me?

16 CHAIRPERSON KOUNALAKIS: Yes.

17 MS. CHRISTENSEN: I was primarily going to  
18 comment on 64, the next one. But I will say, as long as  
19 I'm on, when it comes to subsidence in Long Beach, you  
20 know, we have homes that have been cracked and fallen  
21 apart. We have this commitment to drill, which empties  
22 out space below land and ocean, and then fill with water  
23 and salt water. And what -- you know, what I would say  
24 about it is this whole process is -- involves a lot of  
25 motion. You know, so the sooner that we can stop emptying

1 out that land, drilling for oil, then the less worry we'll  
2 have about potential earthquakes. We have a Rose Fault  
3 and, of course, we have the Inglewood Fault. And we are  
4 under -- we are led to believe by some scientists from  
5 Caltech that this -- that the biggest earthquake in  
6 California, the earthquake that itself caused the most  
7 damage to people was not in San Francisco, that was caused  
8 by fire, but right here in Long Beach that could have been  
9 caused by bringing in a well.

10 So I'm just riffing on this a little bit to point  
11 out that how unsafe drilling always has been and will  
12 continue to be, especially the enhanced drilling we're  
13 doing now, which goes out diagonally in many multiple  
14 directions. And we're really using -- I'll take that  
15 opportunity just to say that.

16 Thank you very much

17 CHAIRPERSON KOUNALAKIS: Thank you very much.

18 Is there anyone else who would like to address  
19 this comment, Nate -- this item, Nate?

20 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

21 Madam Chair, our next speaker is Ann Cantrell.

22 Ann, you may unmute yourself to begin your  
23 comments.

24 MS. CANTRELL: Yes. My question on this, as I  
25 understand it, the water injection, which is used to stop

1 the subsidence, at one point they were using salt water,  
2 but the last I heard the -- at least the injections from  
3 the oil islands was using potable water. And I'm  
4 wondering -- I didn't get to read this report. I'm sorry,  
5 but could staff comment on whether salt water or potable  
6 water is being used for the injection process?

7 Thank you.

8 CHAIRPERSON KOUNALAKIS: So Jennifer Lucchesi,  
9 would you like to address that for the --

10 EXECUTIVE OFFICER LUCCHESI: Yes. I'm actually  
11 going to have to defer to either Micaela or Peter Regan  
12 for this question.

13 Peter is our Assistant Chief of our Division that  
14 manages our offshore oil and gas operations.

15 MINERAL RESOURCES MANAGEMENT DIVISION ASSISTANT  
16 CHIEF REGAN: Yeah. Most of the water that's injected is  
17 actually produced water that's just reinjected back into  
18 the -- into the formation. It's not potable drinking  
19 water.

20 CHAIRPERSON KOUNALAKIS: Thank you.

21 MINERAL RESOURCES MANAGEMENT DIVISION ASSISTANT  
22 CHIEF REGAN: That's pretty much it.

23 CHAIRPERSON KOUNALAKIS: Thank you, Peter.

24 Okay. With that, do we have a motion and a  
25 second?

1           ACTING COMMISSIONER KUNKEL: Hi, Chair  
2 Kounalakis. The Controller had to step away. I will make  
3 the motion.

4           CHAIRPERSON KOUNALAKIS: Thank you, Deputy  
5 Controller Kunkel.

6           And Commissioner Miller?

7           Do we have a second?

8           ACTING COMMISSIONER MILLER: I'll second, Madam  
9 Chair. Sorry.

10          CHAIRPERSON KOUNALAKIS: Thank you. We have a  
11 motion from Commissioner Kunkel and a second from  
12 Commissioner Miller.

13          Ms. Lucchesi, would you please conduct a roll  
14 call vote?

15          EXECUTIVE OFFICER LUCCHESI: Certainly.  
16 Commissioner Kunkel?

17          ACTING COMMISSIONER KUNKEL: Aye.

18          EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

19          ACTING COMMISSIONER MILLER: Aye.

20          EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

21          CHAIRPERSON KOUNALAKIS: Aye.

22          Okay. So our next order of business, Ms.  
23 Lucchesi?

24          Oh, you're on mute.

25          EXECUTIVE OFFICER LUCCHESI: Our -- thank you.

1 Our next order of business is our second public comment  
2 period. I do just want to mention with one of our last  
3 public commenters, I think it was maybe Ms. Christensen or  
4 Ms. Cantrell, I can't remember who actually wanted to  
5 speak on 64, that item was already accepted by the  
6 Commission under the consent agenda. So the way she  
7 was -- she had logged on her public comment, she  
8 identified 63. So apologies for that and we'll continue  
9 to work with our public commenters to ensure in the future  
10 that we -- that they've identified the right staff number  
11 for -- or staff report number for public commenting. But  
12 I just wanted to acknowledge that.

13 So our next order of business, that's a  
14 long-winded way of saying our next order of business is  
15 our second public comment period.

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

20 Nate, please call the first person who would like  
21 to make a public comment.

22 ASSOCIATE GOVERNMENTAL PROGRAM ANALYST DOZIER:

23 Madam Chair, at this moment, I'm seeing no hands  
24 for public comment.

25 CHAIRPERSON KOUNALAKIS: Okay. Do any of the

1 Commissioners have any additional comments or questions?

2 Ms. Lucchesi, what is the next order of business?

3 EXECUTIVE OFFICER LUCCHESI: Our next order of  
4 business is closed session. We will be conducting our  
5 closed session through Microsoft Teams. For the  
6 Commissioners and staff participating in the closed  
7 session, upon adjournment, please log out of Zoom and then  
8 log into Microsoft Teams. The link should be in your  
9 calendar. When closed session ends, you will need to log  
10 out of Teams and then log back in to Zoom using the  
11 original link you were provided. This will ensure  
12 confidentiality of our discussions.

13 In addition - I have one more thing. Sorry - I  
14 do want to just acknowledge that Government Code section  
15 11126 subdivision (c)(7) allows a State body to discuss  
16 real property negotiations in closed session provided that  
17 prior to closed session, the State body in open session  
18 identifies the real property concern and the person or  
19 persons with whom the negotiator may negotiate with. In  
20 accordance with this requirement, I announce that the  
21 Commission will conference in closed session with its real  
22 property negotiators regarding a lease amendment or other  
23 agreement for the extended use of the infrastructure on  
24 State lands related to the continued operation of the  
25 Diablo Canyon plant -- power plant in San Luis Obispo

1 County. The negotiations will be conducted with PG&E.

2 That's all the instructions I have. I'll turn it  
3 back to you, Lieutenant Governor.

4 CHAIRPERSON KOUNALAKIS: Thank you, Ms. Lucchesi.

5 We will now adjourn into closed session.

6 (Off record: 3:15 p.m.)

7 (Thereupon the meeting recessed  
8 into closed session.)

9 (Thereupon the meeting reconvened  
10 open session.)

11 (On record: 3:54 p.m.)

12 CHAIRPERSON KOUNALAKIS: I'll call this meeting  
13 back to order.

14 Ms. Lucchesi. Yes.

15 Ms. Lucchesi, is there anything to report from  
16 closed session?

17 EXECUTIVE OFFICER LUCCHESI: Yes. Thank you.

18 Pursuant to Government Code section 11126 subdivision  
19 (c)(7), the Commission met in closed session with its real  
20 property negotiators regarding a lease amendment or other  
21 agreement for the extended use of the infrastructure on  
22 State lands related to the continued operation of the  
23 Diablo Canyon Power Plant in San Luis Obispo County. That  
24 concludes my report out.

25 CHAIRPERSON KOUNALAKIS: Thank you so much. That



1 concludes the open meeting and we are adjourned.

2 (Thereupon the California State Lands  
3 Commission meeting adjourned at 3:55 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 20th day of April, 2023.



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