MEETING

# STATE OF CALIFORNIA STATE LANDS COMMISSION

ZOOM PLATFORM

HOLIDAY INN SACRAMENTO DOWNTOWN-ARENA

300 J STREET

SACRAMENTO, CALIFORNIA

MONDAY, FEBRUARY 26, 2024 12:06 P.M.

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

## APPEARANCES

#### COMMISSION MEMBERS:

Malia Cohen, State Controller, Chair,

Eleni Kounalakis, Lieutenant Governor, Chairperson

Joe Stephenshaw, Director, Department of Finance, represented by Michele Perrault

#### STAFF:

Jennifer Lucchesi, Executive Officer

Seth Blackmon, Chief Counsel

Michelle Pelka, Public Land Manager

Sheri Pemberton, Chief, External Affairs Division

#### ATTORNEY GENERAL:

Jessica Tucker-Mohl, Supervising Attorney General

# ALSO PRESENT:

Brad Benson, Port of San Francisco

Chris Benzen

Eileen Boken, Coalition for San Francisco Neighborhoods

Anne Cantrell, Sierra Club Los Cerritos Wetlands Task Force

Anna Christensen, Sierra Club Los Cerritos Wetlands Task Force

Elaine Forbes, Port of San Francisco

Dr. Ben Hamlington, NASA Jet Propulsion Laboratory

# APPEARANCES CONTINUED

#### ALSO PRESENT:

David Hochschild, Chief, California Energy Commission

Elizabeth Huber, California Energy Commission

Dr. Justine Kimball, Ocean Protection Council

Jacqueline Moore, Pacific Merchant Shipping Association

Christopher Mouawad, Environmental Action Committee of West Marin

Wade Womack, Newport Mooring Association

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	Public comments will be heard 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 December 5, 2023 meeting	11	
IV	Executive Officer's Report	18	
	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 01-83	18	
	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	ANDREW POINTE LEGACY HOMES, LP, A CALIFORNIA LIMITED PARTNERSHIP (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe,		

adjacent to 3125 West Lake Boulevard, near Homewood, Placer County; for the installation and use of two mooring buoys. CEQA Consideration: categorical exemption. (A4309; RA# 2023069) (A 1; S 1, 4) (Staff: M. Sapunor)

- JAMES A. ASTORIAN AND KATHRIN C. ASTORIAN (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4160 Ferguson Avenue, near Carnelian Bay, Placer County; for an existing pier, boathouse with boat lift, boat lift, and two mooring buoys; and removal of one boat lift. CEQA Consideration: categorical exemptions. (Lease 3755; A3332; RA# 2021107) (A 1; S 1, 4) (Staff: D. Romero)
- O3 RUTH BLEY, TRUSTEE OF THE RUTH BLEY LIVING TRUST, DATED 8/24/2011; DENNIS CORNELL AND CHARLENE NIZAWA; GRABLE B. RONNING; AND CHRISTOPHER D. WHITE AND KRISTINE F. WHITE (LESSEE/APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 95, 99, 105, and 111 Chipmunk Street, near Kings Beach, Placer County; for construction and use of a new joint-use pier and installation of four boat lifts. CEQA Consideration: categorical exemption. (A4133; RA# 2022326) (A 1; S 1, 4) (Staff: L. Ward)
- RUTH BLEY, TRUSTEE OF THE RUTH BLEY LIVING TRUST, DATED 8/24/2011 (LESSEE/APPLICANT): Consider amendment of Lease Number 9659, a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 111 Chipmunk Street, near Kings Beach, Placer County; for the removal of one mooring buoy. CEQA Consideration: categorical exemption. (Lease 9659; A4383; RA# 2023128) (A 1; S 1, 4) (Staff: L. Ward)
- 05 BLUE BRONCO, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (LESSEE/APPLICANT): Consider amendment of Lease Number 4065, a General Lease Recreational Use, of sovereign land

located in Lake Tahoe, adjacent to 6049 North Lake Boulevard, near Tahoe Vista, Placer County; for the installation and use of one additional mooring buoy. CEQA Consideration: categorical exemption. (Lease 4065; A4411; RA# 2023144) (A 1; S 1, 4) (Staff: D. Romero)

- 06 DAVID A. BROWN, TRUSTEE OF THE LOWELL W. BROOK 2007 RESIDENCE TRUST; DAVID A. BROWN, TRUSTEE OF THE DAVID A. BROWN 2007 RESIDENCE TRUST F/B/O KAREN L. BROWN; DAVID A. BROWN, TRUSTEE OF THE DAVID A. BROWN 2007 RESIDENCE TRUST F/B/O KRISTEN A. BROWN; AND DAVID A. BROWN, TRUSTEE OF THE DAVID A. BROWN 2007 RESIDENCE TRUST F/B/O TARA L. BROWN (LESSEE); BROWN FAMILY CABIN, LLC (APPLICANT): Consider acceptance of a lease quitclaim deed and application for General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8317 Meeks Bay Avenue, near Tahoma, El Dorado 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 8522; A4135; RA# 2022320) (A 1; S 1, 4) (Staff: D. Romero)
- JOHN C. BYRNE AND MICHELE S. BYRNE,
  CO-TRUSTEES OF THE JOHN C. AND MICHELE BYRNE
  FAMILY TRUST, DATED JULY 8, 2003, AS AMENDED
  MARCH 8, 2017 (APPLICANT): Consider
  application for a General Lease Recreational Use, of sovereign land located
  in the Napa River, adjacent to 1576 Milton
  Road, near Napa, Napa County; for an existing
  boat dock and appurtenant facilities. CEQA
  Consideration: categorical exemption. (Lease
  7214; A4268; RA# 2023051) (A 4; S 3) (Staff:
  M. Sapunor)
- O8 CEDAR FLAT IMPROVEMENT ASSOCIATION,
  INCORPORATED (LESSEE/APPLICANT): Consider
  amendment of Lease Number 4173, a General
  Lease Recreational Use, of sovereign land
  located in Lake Tahoe, adjacent to 4370 North
  Lake Boulevard, near Carnelian Bay, Placer

County; for the installation and use of 15 additional mooring buoys. CEQA Consideration: categorical exemption. (Lease 4173; A3949; RA# 2022203) (A 1; S 1, 4) (Staff: L. Ward)

- O9 DENNIS CORNELL AND CHARLENE NIIZAWA
  (APPLICANT): Consider application for a
  General Lease Recreational Use of sovereign
  land located in Lake Tahoe, adjacent to 95
  Chipmunk Street, near Kings Beach, Placer
  County; for an existing mooring buoy. CEQA
  Consideration: categorical exemption. (Lease
  6935; A4346; RA #2023099) (A 1; S 1, 4)
  (Staff M. Pelka)
- NORBERT J. DICKMAN, TRUSTEE OF THE ROGER DICKSON TRUST AND OF THE SCOTT DICKSON TRUST; AND NORBERT DICKMAN, AS TRUSTEE OF THE BARBARA FASKEN 1995 TRUST FOR THE BENEFIT OF ROGER DICKSON AND SCOTT DICKSON (APPLICANT): Consider application for a General Lease Recreational Use of sovereign land located in Lake Tahoe, adjacent to 2247 Cascade Road, South Lake Tahoe, El Dorado County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8511; A4214; RA# 2022389) (A 1; S 1, 4) (Staff: M. Pelka)
- ROGER DICKSON AND LAUREN DICKSON, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP AND GARY C. SCHAEFER AND PERRY H. SCHAEFER, AS CO-TRUSTEES OF THE SCHAEFER TRUST DATED DECEMBER 15, 2008, AS AMENDED AND RESTATED, AS TENANTS IN COMMON (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2147 Cascade Road, near South Lake Tahoe, El Dorado County; for the installation and use of two mooring buoys. CEQA Consideration: categorical exemption. (A4186; RA# 2022359) (A 1; S 1, 4) (Staff: M. Sapunor)
- DONALD J. DOBBAS, AS TO AN UNDIVIDED ONE-HALF INTEREST; DENETTE DOBBAS, AS TRUSTEE OF THE DENNY DOBBAS TRUST DATED OCTOBER 8, 2009, AS TO AN UNDIVIDED ONE-HALF INTEREST, AS TENANTS

IN COMMON (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8297 Meeks Bay Avenue, near South Lake Tahoe, El Dorado County; for an existing pier and mooring buoy. CEQA Consideration: categorical exemption. (Lease 4494; A4301; RA# 2023061) (A 1; S 1, 4) (Staff: M. Sapunor)

- TUNC DOLUCA AND FATMA LALE DOLUCA, TRUSTEES OF THE DOLUCA 2003 LIVING TRUST DATED OCTOBER 6, 2003 (APPLICANT): Consider application for a General Lease Recreational Use of sovereign land located in Lake Tahoe, adjacent to 3730 North Lake Boulevard, Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 3996; A4323; RA# 2023082) (A 1; S 1, 4) (Staff: M. Pelka)
- RICHARD E. DWYER, TRUSTEE OF THE RICHARD E. DWYER TRUST AGREEMENT DATED AUGUST 30, 1991 (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3185 West Lake Boulevard, near Homewood, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 9160; A4357; RA# 2023101) (A 1; S 1, 4) (Staff: M. Sapunor)
- 15 ROBERT L. GOTELLI AND KELLY J. GOTELLI, TRUSTEES OF THE GOTELLI FAMILY TRUST U/A DATED 8/20/2003 (APPLICANT): Consider application for a General Lease Recreational Use of sovereign land located in Lake Tahoe, adjacent to 4800 West Lake Boulevard, near Homewood, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8358; A3970; RA# 2022221) (A 1; S 1, 4) (Staff: L. Ward)

- WILLIAM R. GREEN AND MICHELLE A. GREEN, AS TRUSTEES OF THE WILLIAM AND MICHELLE GREEN 2007 IRREVOCABLE TRUST, DATED MAY 14, 2007 (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8801 One Ring Road, near South Lake Tahoe, El Dorado County; for an existing pier and four mooring buoys. CEQA Consideration: categorical exemption. (Lease 8251; A4355; RA# 2023098) (A 1; S 1, 4) (Staff: M. Harless)
- HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT (LESSEE/SUBLESSOR); NORDIC AQUAFARMS CALIFORNIA, LLC (SUBLESSEE): Consider endorsement of a sublease under Lease Number PRC 3186, a General Lease Right-of-Way Use, of sovereign land located in the Pacific Ocean, near Samoa, adjacent to Assessor's Parcel Number 401-111-006, Humboldt County; for an existing outfall pipeline. CEQA Consideration: Environmental Impact Report, certified by Humboldt County, State Clearinghouse No. 2021040532. (PRC 3186; A3254; RA# 2021069) (A 2; S 2) (Staff: M. Schroeder)
- 18 KLAMATH RIVER RENEWAL CORPORATION
  (APPLICANT): Consider application for a
  General Lease Other, of sovereign land
  located in the Pacific Ocean, between
  Crescent City Harbor and the mouth of the
  Klamath River, Del Norte County; for existing
  data collection buoys. CEQA Consideration:
  categorical exemption. (A4296; RA# 2023073)
  (A 2; S 2) (Staff: N. Lee)
- WILLIAM E. BITTNER AND NANCY G. BITTNER, AS TRUSTORS AND TRUSTEES OF THE BITTNER FAMILY REVOCABLE TRUST OF 1990 (LESSEE); LA GRACIA PROPERTY ONE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider termination of Lease Number 3850, a General Lease Recreational Use; and an application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe,

adjacent to 3675 Idlewild Way, Homewood, Placer County; for an existing pier and one mooring buoy. CEQA Consideration: categorical exemption. (Lease 3850; A4379; RA# 2023120) (A 1; S 1, 4) (Staff: M. McGough)

- 20 LAKELAND VILLAGE OWNERS ASSOCIATION (LESSEE):
  Consider amendment of Lease Number 5490, a
  General Lease Recreational Use, of
  sovereign land located in Lake Tahoe,
  adjacent to 3535 Lake Tahoe Boulevard, near
  South Lake Tahoe, El Dorado County; for the
  modification of an existing pier. CEQA
  Consideration: categorical exemption. (Lease
  5490; A3613; RA# 2021326) (A 1; S 1, 4)
  (Staff: D. Romero)
- PAUL R. MALONE AND VIRGINIA M. MALONE, AS 21 TRUSTEES OF THE PAUL R. AND VIRGINIA M. MALONE FAMILY TRUST, DATED JUNE 10, 1999; AND HAROLD S. PENNEY AND CHARLOTTE C. PENNEY AS TRUSTEES OF THE HAROLD S. AND CHARLOTTE C. PENNEY LIVING FAMILY TRUST, DATED NOVEMBER 6, 2002 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2865 West Lake Boulevard, Tahoe City, Placer County; for an existing pier and one mooring buoy previously authorized by the Commission; and one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 4128; A4392; RA# 2023133) (A 1; S 1,4) (Staff: M. McGough)
- JON E. MARING AND TAMARA MARING (APPLICANT):
  Consider application for a General Lease Recreational Use, of sovereign land located
  in Lake Tahoe, adjacent to 6460 North Lake
  Boulevard, near Tahoe Vista, Placer County;
  for an existing pier, boat lift, and two
  mooring buoys. CEQA Consideration:
  categorical exemption. (Lease 5563; A4191;
  RA# 2022363) (A 1; S 1, 4) (Staff:
  M. Sapunor)

- MARTIS CAMP CLUB (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6920 North Lake Boulevard, Tahoe Vista, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 7862; A4348; RA# 2023094) (A 1; S 1, 4) (Staff: M. McGough)
- 24 HAROLD M. MESSMER, JR. AND MARCIA N. MESSMER, TRUSTEES OF THE MESSMER FAMILY TRUST DATED 10/1/93 (LESSEE/APPLICANT): Consider acceptance of a lease quitclaim deed and issuance of a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4420 North Lake Boulevard, near Carnelian Bay, Placer County; for the use of a pier, wood marine rail, boat lift, boat hoist, two mooring buoys previously authorized by the Commission; and one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 4315; A4324; RA# 2023077) (A 1; S 1, 4) (Staff: M. Sapunor)
- ALFRED E. MOORE, JR. AND JOANNE L. MOORE, TRUSTEES, OR ANY SUCCESSOR TRUSTEE OF THE ALFRED E. MOORE, JR. AND JOANNE L. MOORE REVOCABLE TRUST, DATED JUNE 27, 1997; LESLIE A. CHAMBERLAIN; STEVEN A. MOORE; AND ALLISON E. EVERIST (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8823 Winston Way, Meeks Bay, El Dorado County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8502; A4262; RA# 2023032) (A 1; S 1, 4) (Staff: M. Waldo)
- 26 NEWPORT FEDERAL, A CALIFORNIA CORPORATION (LESSEE); STEPHEN F. MURPHY AND MICHELLE MURPHY, TRUSTEES OF THE MURPHY FAMILY TRUST DATED MARCH 16TH, 2022 (APPLICANT): Consider acceptance of a Lease quitclaim deed and

issuance of a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 741 Lakeview Avenue, near South Lake Tahoe, El Dorado County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (Lease 5013; A4327; RA# 2023104) (A 1; S 1, 4) (Staff: M. Haflich)

- 27 RECLAMATION DISTRICT 2140 (LESSEE): Consider amendment to Lease Number 9606, a General Lease - Public Agency Use, of sovereign land, located in the Sacramento River, adjacent to Assessor's Parcel Nos. 032-230-018, 032-240-008, and 032-240-010, near Hamilton City, Glenn County; for rock slope protection and restoration of habitat. CEQA Consideration: Environmental Impact Statement/Environmental Impact Report and Addendum, certified and adopted, respectively, by the Central Valley Flood Protection Board and Reclamation District 2140, State Clearinghouse No. 2002122048. (Lease 9606; A3606; RA# 2021309) (A 3; S 4) (Staff: N. Lee)
- PETER F. SNOOK AND JUDITH L. SNOOK, AS TRUSTEES OF THE SNOOK FAMILY REVOCABLE TRUST, DATED APRIL 11, 2000 (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4688 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boathouse with boat lift, sundeck with stairs, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 1617; A4243; RA# 2023025) (A 1; S 1, 4) (Staff: D. Romero)
- GABRIELLE D. HARLE; ANNE B. DONAHOE, AS TRUSTEE OF THE ANNE B. DONAHOE TAHOE RESIDENCE TRUST NO. 1 FBO GABRIELLE DONAHOE HARLE; ANNE B. DONAHOE, AS TRUSTEE OF THE ANNE B. DONAHOE TAHOE RESIDENCE TRUST NO. 2 FBO DANIEL JUSTIN DONAHOE IV; AND ANNE B. DONAHOE, AS TRUSTEE OF THE ANNE B. DONAHOE TAHOE RESIDENCE TRUST NO. 3 FBO BROOKE DONAHOE ROBERTS (LESSEE/ASSIGNOR); RUBICON

REDUX, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT/ASSIGNEE): Consider assignment of a General Lease - Recreational Use, of sovereign land in Lake Tahoe, adjacent to 8873 and 8879 Rubicon Drive, near Tahoma, El Dorado County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: not a project. (Lease 3653; A4377; RA# 2023119) (A 1; S 1, 4) (Staff M. Harless)

- 30 W. L. SIMMONS, JR., TRUSTEE OF THE W. L. SIMMONS, JR. LIVING TRUST, DATED DECEMBER 18, 2013, AS AMENDED JUNE 30, 2020 (APPLICANT): Consider application for a General Lease Recreational Use of sovereign land located in Lake Tahoe, adjacent to 5450 West Lake Boulevard, Homewood, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 3709; A4363; RA# 2023109) (A 1; S 1, 4) (Staff: M. Pelka)
- DARRELL ROBERT SPENCE AND SARAH ASHLEY SPENCE, TRUSTEES, AND THEIR SUCCESSORS AS TRUSTEES, OF THE SPENCE FAMILY TRUST DATED OCTOBER 30, 2001 (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5344 North Lake Boulevard, near Carnelian Bay, Placer County; for existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 7828; A4385; RA#2023124) (A1; S1, 4) (Staff: M. Haflich)
- MARK C. STEVENSON AND RAQUEL A. STEVENSON, AS CO-TRUSTEES OF THE STEVENSON FAMILY TRUST, DATED NOVEMBER 7, 2005 (LESSEE/APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in the Sacramento River, adjacent to 7829 Garden Highway, near Varona, Sutter County; for an existing boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 7649; A3869; RA# 2022141) (A 6; S 8) (Staff: L. Ward)

- TAHOE KEYS SMI, LLC, A SUBSIDIARY OF SUNTEX MARINA INVESTORS LLC (APPLICANT): Consider application for a General Lease Dredging, of sovereign land located in Lake Tahoe, adjacent to the East Channel entrance to the Tahoe Keys Marina, South Lake Tahoe, El Dorado County; for maintenance dredging of up to a maximum of 13,000 cubic yards. CEQA Consideration: categorical exemption. (Lease 5305; A3855; RA# 2022120) (A 1; S 1, 4) (Staff: J. Holt)
- CHRISTOPHER H. LEGALLET AND MARIE LEGALLET, TRUSTEES OF THE LEGALLET TRUST DATED JULY 7, 2000 AND AMENDED AND RESTATED IN 2009 (LESSEE/ASSIGNOR); TAHOMA 6956 LLC, A DELAWARE LIMITED LIABILITY COMPANY (APPLICANT/ASSIGNEE): Consider assignment of Lease 9295, a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6956 Pomin Avenue, near Tahoma, Placer County; for an existing pier, boat lift, ramp, catwalk, one mooring buoy, and a freshwater intake pipeline. CEQA Consideration: not a project. (Lease 9295; A3321; RA# 2021286) (A 11; S03) (Staff: L. Ward)
- THE LITTLE RED HOUSE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5360 North Lake Boulevard, Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 4954; A4139; RA# 2023108) (A 1; S 1,4) (Staff: M. Waldo)
- THE SPANOS CORPORATION, A CALIFORNIA CORPORATION (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 146 Quiet Walk Road, Tahoma, El Dorado County; for an existing pier, boathouse with boat hoist, and two mooring buoys. CEQA Consideration: categorical

exemption. (Lease 3543; A4353; RA# 2023095) (A 1; S 1, 4) (Staff: M. McGough)

- 37 MARILYN B. WINTERS, TRUSTEE, LEO H. WINTERS AND MARILYN B. WINTERS REVOCABLE 1989 TRUST (LESSEE); THIARA BROTHERS LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider termination of Lease Number 5489, a General Lease - Recreational Use; and an application for a General Lease -Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3840 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier and one mooring buoy and use of one additional mooring buoy not previously authorized. CEQA Consideration: categorical exemption. (Lease 5489; A4274; P5489; RA# 02418) (A 1; S 1, 4) (Staff: L. Ward)
- 38 GRAYLE TULLY JAMES AND GWYN-MOHR TULLY (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8507 and 8511 Meeks Bay Avenue, near Rubicon Bay, El Dorado County; for an existing pier, boat lift, and four mooring buoys. CEQA Consideration: categorical exemption. (Lease 8421; A3919; RA#2022176) (A 1; S 1, 4) (Staff: L. Ward)
- VERO FIBER NETWORKS, LLC (APPLICANT):
  Consider application for a General Lease Right-of-Way Use, of sovereign land located
  in the Mad River, at State Route 299 Bridge
  Crossing, near Arcata, Humboldt County; for
  installation of a fiber optic conduit. CEQA
  Consideration: Mitigated Negative
  Declaration, adopted by the California Public
  Utilities Commission, State Clearinghouse No.
  2022010017, and adoption of a Mitigation
  Monitoring Program. (A3066; RA# 2020433) (A
  2; S 2) (Staff: M. Schroeder)
- TERESINHA S WARD, AS TRUSTEE OF THE SURVIVOR'S TRUST, AS CREATED UNDER THE WARD FAMILY REVOCABLE TRUST DATED MAY 27, 2016;

AND TERESINHA S. WARD, AS TRUSTEE OF THE QTIP TRUST AS CREATED UNDER THE WARD FAMILY REVOCABLE TRUST DATED MAY 27, 2016 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3856 North Lake Boulevard, near Carnelian Bay, Placer County; for two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8508; A4291; RA# 2023075) (A 1; S 1, 4) (Staff: M. Sapunor)

- ALVIN T. LEVITT, SUCCESSOR CO-TRUSTEE OF THE MARY ANN TONKIN SURVIVOR'S TRUST; WENDY TONKIN, SUCCESSOR CO-TRUSTEE OF THE MARY ANN TONKIN SURVIVOR'S TRUST; AND JILL B. TONKIN FINEGOLD, SUCCESSOR CO-TRUSTEE OF THE MARY ANN TONKIN SURVIVOR'S TRUST (LESSEE/ASSIGNOR); VSA INVESTMENTS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT/ASSIGNEE): Consider assignment of Lease 9704, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7432 North Lake Boulevard, near Tahoe Vista, Placer County; for one existing mooring buoy. CEQA Consideration: not a project. (Lease 9704; A4378; RA# 2023125) (A 1, S 1, 4) (Staff: M. Pelka)
- CHRISTOPHER D. WHITE AND KRISTINE F. WHITE (APPLICANT): Consider application for a General Lease Recreational Use of sovereign land located in Lake Tahoe, adjacent to 99 Chipmunk Street, near Kings Beach, Placer County; for use of one existing mooring buoy and removal of one mooring buoy. CEQA Consideration: categorical exemptions. (Lease 9099; A4364; RA #2023113) (A 1; S 1, 4) (Staff L. Ward)

Bay / Delta Region

DONALD H. ALTHOFF AND JEAN C. ALTHOFF, COTRUSTEES UNDER THE DONALD H. ALTHOFF AND JEAN C. ALTHOFF REVOCABLE LIVING TRUST, DATED FEBRUARY 6, 2004 (APPLICANT): Consider application for a General Lease -

Recreational and Protective Structure Use of sovereign land located in the Sacramento River, adjacent to 17428 Grand Island Road, Walnut Grove, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 4789; A4131; RA# 2022315) (A 4; S 3) (Staff: L. Anderson)

- CHEVRON PRODUCTS COMPANY, A DIVISION OF CHEVRON U.S.A., INC. (LESSEE): Consider a revision of rent and bond to Lease Number PRC 7062, a General Lease Right of Way Use, of sovereign land located in San Pablo Bay, near Richmond, Contra Costa County, for a concrete deepwater outfall, CEQA Consideration: not a project. (PRC 7062) (A: 14; S: 7) (Staff: V. Caldwell)
- 45 CITY OF MODESTO (APPLICANT): Consider application for a General Lease Public Agency Use, of sovereign land located in the Tuolumne River, adjacent to 7th Street, Modesto, Stanislaus County; for installation of a water line attached to the new 7th Street Bridge. CEQA Consideration: Environmental Impact Report, certified by the County of Stanislaus, State Clearinghouse No. 2013092059, and Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (A4277; RA# 2023042) (A 2; S 2) (Staff: N. Lee)
- CITY OF SACRAMENTO, A CALIFORNIA MUNICIPAL CORPORATION (APPLICANT): Consider an application for a General Lease Public Agency Use, of sovereign land located in the Sacramento River, adjacent to and within Assessor's Parcel Numbers 002-0010-018 and 002-0010-023 in Sacramento County and adjacent to Assessor's Parcel Numbers 010-102-005, 010-102-003, and 010-102-010 in Yolo County; for the construction of a new vehicle bridge with bicycle and pedestrian lanes; and use of a temporary construction area. CEQA Consideration: Environmental Impact Report, certified by the City of

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Sacramento, State Clearinghouse No. 2014092069, and adoption of a Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (A2421; RA# 2022180) (A 4, 6; S 3, 8) (Staff: J. Holt)

- JAMES P. COSGROVE (LESSEE/ASSIGNOR); KIM COSGROVE AND ANTHONY COSGROVE (APPLICANT/ASSIGNEE): Consider assignment of Lease Number 7498, a General Lease Recreational Use, of sovereign land located in Mare Island Strait, adjacent to 14 Sandy Beach Road, near Vallejo, Solano County; for an existing deck and appurtenant facilities. CEQA Consideration: not a project. (Lease 7498; A3856; RA# 2022155) (A 11; S 3) (Staff: M. Sapunor)
- RICHARD E. EPTING AND JANICE M. EPTING, AS TRUSTEES FOR THE RICHARD AND JANICE EPTING TRUST, DATED NOVEMBER 21, 2015 (ASSIGNOR):
  JON HOCHSCHILD AND GEFFEN HOCHSCHILD (ASSIGNEE): Consider assignment of Lease 9267, a General Lease Recreational Use of sovereign land located in Corte Madera Creek, adjacent to 137 Greenbrae Boardwalk, near Larkspur, Marin County; for an existing boat dock and appurtenant facilities. CEQA Consideration: not a project. (Lease 9267; A4338; RA# 2023084) (A 12; S 2) (Staff: M. Haflich)
- FAIRFIELD-SUISUN SEWER DISTRICT (APPLICANT):
  Consider application for a General Lease Public Agency Use, of sovereign land located
  in the Suisun Slough, adjacent to Assessor's
  Parcel Numbers 0032-180-410 and 0032-210-010,
  near Suisun City, Solano County; for an
  existing non-operational sewer pipeline. CEQA
  Consideration: categorical exemption. (Lease
  3434; A3775; RA# 2022078) (A 11; S 3) (Staff:
  J. Holt)
- FREEPORT VENTURES LLC (LESSEE/ASSIGNOR); 8150 FREEPORT LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT/ASSIGNEE): Consider assignment of Lease Number PRC 3915, a

General Lease - Commercial Use, of sovereign land located in the Sacramento River, adjacent to Assessor's Parcel Number 119-0040-007, Freeport, Sacramento County; for an existing commercial marina. CEQA Consideration: not a project. (PRC 3915, A4044; RA# 2022259) (A 10; S 3) (Staff: J. Holt)

- AMIN GHOMESHI, AS TRUSTEE OF THE GP1, EXECUTED ON JANUARY 2, 2021 (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in the Sacramento River, adjacent to 6587 Garden Highway, near Sacramento, Sacramento County; for the construction and use of a covered boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (A3407; RA# 2021157) (A 6; S 8) (Staff: D. Romero)
- STEVEN F. GIANANDREA AND JUDY L.
  BAKER-GIANANDREA, TRUSTEES OF THE GIANANDREA
  FAMILY TRUST DATED OCTOBER 30, 2007
  (APPLICANT): Considerapplication for a
  General Lease Recreational and Protective
  Structure Use, of sovereign land located in
  the San Joaquin River, adjacent to 2039 Cove
  Court, Stockton, San Joaquin County; for an
  existing covered boat dock, appurtenant
  facilities, bulkhead, and artificial fill.
  CEQA Consideration: categorical exemption.
  (Lease 6527; A4065; RA# 2022274) (A 13; S 5)
  (Staff: L. Anderson)
- SUSAN D. GRAY, TRUSTEE OF THE RONALD J. GRAY/SUSAN D. GRAY TRUST, DATED MAY 16, 1993 (APPLICANT): Consider application for a General Lease Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 17408 Grand Island Road, at Long Island, near Walnut Grove, Sacramento County; for an existing fishing pier, walkway, and bank protection. CEQA Consideration: categorical exemption. (Lease 4760; A3925; RA# 2022185) (A 4; S 3) (Staff: L. Anderson)

- DAVID KELLER AND SUSAN M. VUE (APPLICANT):
  Consider application for a General Lease Recreational and Protective Structure Use, of
  sovereign land located in the Sacramento
  River, adjacent to 2197 Garden Highway,
  Sacramento, Sacramento County; for an
  existing boat dock, appurtenant facilities,
  and bank protection. CEQA Consideration:
  categorical exemption. (Lease 5121; A4190;
  RA# 2022362) (A 6; S 8) (Staff: L. Anderson)
- 55 EMILIO BECERRA-LÓPEZ AND ADRIANA
  MARQUEZ-BECERRA (APPLICANT): Consider
  application for a General Lease Recreational Use, of sovereign land located
  in the Calaveras River, adjacent to 2975
  Calariva Drive, near Stockton, San Joaquin
  County; for use of an existing boat dock,
  boathouse, and appurtenant facilities. CEQA
  Consideration: categorical exemption. (Lease
  7461; A4342; RA# 2023105) (A 13; S 5) (Staff:
  M. Haflich)
- MARVIN M. MCSWAIN AND PATRICIA MCSWAIN,
  TRUSTEES OF THE MARVIN M. MCSWAIN AND
  PATRICIA MCSWAIN TRUST DATED APRIL 13, 2007
  (APPLICANT): Consider application for a
  General Lease Recreational Use, of
  sovereign land located in the Sacramento
  River, adjacent to 11035 State Highway 160,
  near Hood, Sacramento County; for an existing
  boat dock, storage shed, and appurtenant
  facilities. CEQA Consideration: categorical
  exemption. (Lease 8495; A3977; RA# 2023009) (A
  9; S 3) (Staff: M. Waldo)
- MARILYN A. O'BRIEN, TRUSTEE OF THE MARILYN A. O'BRIEN TRUST (APPLICANT): Consider application for a General Lease Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 1715 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 8494; A3796; RA# 2022168) (A 6; S 8) (Staff: L. Anderson)

- SACRAMENTO AREA SEWER 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 001-0170-005 and 277-0250-019,
  near Sacramento, Sacramento County; for an
  existing non-operational sewer force main
  pipeline. CEQA Consideration: categorical
  exemption. (Lease 2168; A4099; RA# 2022303)
  (A 6; S 8) (Staff: J. Holt)
- 59 KEY LEASE CORPORATION, INC. DBA SPINDRIFT MARINA (APPLICANT): Consider waiver of penalty and interest; void Invoice Numbers 54842 and 57548; and application for a General Lease - Commercial Use, of sovereign land located in the San Joaquin River, adjacent to 841 W. Brannan Island Road, near Isleton, Sacramento County; for an existing commercial marina, known as the Spindrift Marina previously authorized by the Commission; and two existing restrooms with shower facilities not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 2409; A4444; RA# 21918) (A 11; S 3) (Staff: M. Schroeder)

#### Central / Southern Region

- AT&T CORP. (LESSEE/APPLICANT): Consider termination of Lease Number PRC 8278.1, a General Lease Non-Exclusive Right-of-Way Use; and application for a General Lease Right-of-Way Use, of sovereign land located in the Pacific Ocean, offshore of Morro Bay, San Luis Obispo County; for an existing non-operational steel conduit and a fiber optic cable. CEQA Consideration: categorical exemption. (Lease 8278; A4442; RA# 2023161) (A 30; S 17) (Staff: J. Toy)
- AT&T CORP. (LESSEE/APPLICANT): Consider termination of Lease Number PRC 8154.1, a General Lease Non-Exclusive Right-of-Way Use; and application for a General Lease Right-of-Way Use, of sovereign land located in the Pacific Ocean, offshore of Morro Bay,

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San Luis Obispo County; for an existing non-operational steel conduit and a fiber optic cable. CEQA Consideration: categorical exemption. (Lease 8154; A4006; RA# 2022240) (A 30; S 17) (Staff: J. Toy)

- CALIFORNIA DEPARTMENT OF TRANSPORTATION
  (APPLICANT): Consider application for a
  General Lease Public Agency Use, of
  sovereign land located in Assessor's Parcel
  Numbers 110-017-01 and 110-017-02, Huntington
  Beach, Orange County; for a temporary
  construction easement. CEQA Consideration:
  Mitigated Negative Declaration, adopted by
  Caltrans District 12, State Clearinghouse No.
  2021100313, and adoption of a Mitigation
  Monitoring Program. (A3990; RA# 2022284) (A
  72; S 36) (Staff: J. Plovnick)
- 63 CALIFORNIA DEPARTMENT OF TRANSPORTATION (APPLICANT): Consider recission of a Public Agency Permit and Right-of-Way Map, and issuance of a Public Agency Permit, approval of a Right-of-Way Map, and issuance of Temporary Construction Easements on sovereign land located adjacent to Pacific Coast Highway and 1st Street, Seal Beach, Orange County; and issuance of a Temporary Construction Easement on fee-owned land, adjacent to 1700 Pacific Coast Highway, Huntington Beach, Orange County. CEQA Consideration: categorical exemption. (Leases 9674, 9675; A4273; RA# 2023039) (A 72; S 36, 37) (Staff: J. Plovnick)
- CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):
  Consider termination of previously accepted Public Lateral Access Easements and acceptance of an Irrevocable Offer to Dedicate Public Lateral Access Easement over land adjacent to State tidelands, located at 22210 Pacific Coast Highway, Malibu, Los Angeles County. CEQA Consideration: not a project. (W 24665; AD 503, AD 658) (A 42; S 27, 24) (Staff: J. Plovnick)

- 65 CITY OF SAN CLEMENTE (APPLICANT): Consider application for a General Lease Public Agency Use, of sovereign land in the Pacific Ocean near San Clemente, Orange County; for the use and maintenance of public beach access facilities, including beach access ramp, stairways, riprap with concrete footings, box culverts, and concrete retaining walls, at the Linda Lane railroad undercrossing, El Portal railroad crossing, and the Mariposa railroad undercrossing. CEQA Consideration: categorical exemption. (Lease 8523; A3935; RA# 2022193) (A 73; S 36) (Staff: K. Connor)
- MALIBU BEACHFRONT PROPERTIES, LLC

  (APPLICANT): Consider application for a
  General Lease Recreational Use, of
  sovereign land located in the Pacific Ocean,
  adjacent to 21200 Pacific Coast Highway, near
  Malibu, Los Angeles County; for an existing
  concrete platform. CEQA Consideration:
  categorical exemption. (A3715; RA# 2022211)
  (A 42; S 24) (Staff: K. Connor)
- 67 MICHAEL MCCOY, AS TRUSTEE OF THE MCCOY 1995 INTERVIVOS TRUST, DATED JANUARY 25, 1995 (LESSEE); DAVID MINH TRINH AND CHAFE YU TRINH, AS TRUSTEES OF THE TRINH FAMILY TRUST DATED FEBRUARY 21, 2015 (APPLICANT): Consider termination of Lease Number PRC 3570, a General Lease - Recreational Use and an application for a General Lease -Recreational Use of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 17011 Bolero Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: categorical exemption. (Lease 3570; A4356; RA# 2023126) (A 72; S 36) (Staff: M. Pelka)
- 68 MIDDLE MILE INFRASTRUCTURE, LLC.
  (APPLICANT/SUBLESSOR); RTI INFRASTRUCTURE,
  INC. (SUBLESSEE); SEREN JUNO NETWORK AMERICA,
  INC. (SUBLESSEE): Consider an application for
  a General Lease Right-of-Way Use and

endorsement of two subleases, of sovereign land located in the Pacific Ocean, near Pismo State Beach, Grover Beach, San Luis Obispo County; for two existing fiber optic cable conduits and one fiber optic cable section within a conduit previously authorized by the Commission, and an additional fiber optic cable section within a conduit not previously authorized by the Commission. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, State Clearinghouse No. 2020040309. (A4339; RA# 2023086) (A 30, 37; S 17) (Staff: J. Toy)

- 69 PETER W. MCKINLEY AND LIZ NORRIS MCKINLEY, TRUSTEES OF THE PETER W. MCKINLEY AND LIZ NORRIS MCKINLEY FAMILY TRUST DATED MARCH 9, 1994 (LESSEE/ASSIGNOR); JOHN W. D'ANGELO, TRUSTEE OF THE JOHN W. D'ANGELO TRUST U/A DATED DECEMBER 14, 2007 (APPLICANT/ASSIGNEE): Consider assignment of Lease 9567, a General Lease - Recreational Use of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16882 Coral Cay Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: not a project. (Lease 9567; A4390; RA# 2023131) (A 72, S 36) (Staff: M. Pelka)
- CHILDRENS TRUST ESTATE OF THE JAMES H. DEWALD AND WANDA E. DEWALD TRUST, DATED AUGUST 13,1986, AS AMENDED (LESSEE/ASSIGNOR); CHARLES HOWELL (APPLICANT/ASSIGNEE): Consider assignment of a General Lease Recreational Use, of sovereign land in the Main Channel of Huntington Harbour, adjacent to 17051 Bolero Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: not a project. (Lease 3569; A4319; RA# 2023076) (A 72; S 36) (Staff M. Harless)
- 71 LC DEVELOPMENT, LLC (APPLICANT): Consider application for a General Lease Commercial

Use, located in the historic bed of the San Joaquin River, adjacent to 10705 N Lanes Road, Fresno, Fresno County; for an existing unimproved recreational park, unimproved boat launch, campground, and appurtenant facilities, and a proposed seasonal swim float. CEQA Consideration: categorical exemptions. (Lease 5492; A4005; RA# 2022239) (A 8; S 12) (Staff: K. Connor)

- MARILYN A. MARTIN, AS TRUSTEE OF THE MARILYN A. MARTIN LIVING TRUST DATED JUNE 20, 2017 (APPLICANT): Consider application for a General Lease Recreational Use, of sovereign land located in the Midway Channel of Huntington Harbour, adjacent to 3532 Gilbert Drive, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: categorical exemption. (Lease 3857; A4293; RA# 2023080) (A 72; S 36) (Staff: M. Harless)
- MCI INTERNATIONAL LLC (LESSEE/APPLICANT):
  Consider waiver of penalty and interest; void invoice number 59897; termination of Lease
  Number PRC 8141.1, a General Lease Non-Exclusive Right-of-Way Use; and application for a General Lease Right-of-Way Use, of sovereign land located in the Pacific Ocean, offshore of Montaña de Oro State Park, San Luis Obispo County; for an existing conduit and fiber optic cable.
  CEQA Consideration: categorical exemption.
  (Lease 8141; A3997; RA# 2022249) (A 30; S 17) (Staff: J. Toy)
- 74 MCI INTERNATIONAL LLC
  (LESSEE/APPLICANT/SUBLESSOR); AT&T CORP.
  (SUBLESSEE): Consider waiver of penalty and interest; void invoice number 59898; termination of Lease Number PRC 8142.1, a General Lease Non-Exclusive Right-of-Way Use; and application for a General Lease Right-of-Way Use, of sovereign land located in the Pacific Ocean, offshore of Montaña de Oro State Park, San Luis Obispo County; for

an existing steel conduit; and an endorsement of sublease for one fiber optic cable section within the conduit. CEQA Consideration: categorical exemption. (Lease 8142; A4021; RA# 2022250) (A 30; S 17) (Staff: J. Toy)

- 75 RTI INFRASTRUCTURE, INC. (LESSEE): Consider application for acceptance of a partial lease quitclaim deed and amendment to Lease 9632, a General Lease Right-of-Way Use, of sovereign land located in the Pacific Ocean, near Pismo State Beach, Grover Beach, San Luis Obispo County; for two existing steel conduits and one existing subsea fiber optic cable, and the installation and use of one additional subsea fiber optic cable; and for the transfer of two existing conduits. CEQA Consideration: not a project. (Lease 9632; A4340; RA# 2023087) (A 30, 37; S 17) (Staff: J. Toy)
- 76 SANTA CATALINA ISLAND CONSERVANCY
  (APPLICANT): Consider application for a
  General Lease Recreational Use, of
  sovereign land located in the Pacific Ocean
  at Cherry Cove, Santa Catalina Island,
  adjacent to 1 Cherry Valley Road, Avalon, Los
  Angeles County; for an existing pier, access
  ramp, floating dock, swim area, and
  stringlines. CEQA Consideration: categorical
  exemption. (Lease 6441; A4423; RA# 2023156)
  (A 69; S 24) (Staff: J. Plovnick)
- 77 SOUTHERN CALIFORNIA EDISON COMPANY, SAN DIEGO GAS AND ELECTRIC COMPANY AND CITY OF RIVERSIDE (LESSEE): Consider a revision of rent and bond to Lease Number PRC 6785, a General Lease Industrial Use, of sovereign land located in the Pacific Ocean, San Onofre, San Diego County; for two offshore intake and two discharge conduits, fish return conduit, five marker buoys, and riprap associated with the San Onofre Nuclear Generating Station (SONGS) Units 2 and 3. CEQA Consideration: not a project. (PRC 6785) (A: 74; S: 38) (Staff: V. Caldwell)

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, ON BEHALF OF THE SANTA BARBARA CAMPUS (UCSB) (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in and adjacent to the Pacific Ocean near Goleta Point, Santa Barbara County; for four existing seawater intake pipelines and rock revetment. CEQA Consideration: categorical exemption. (Lease 8011; A3842; RA# 2022113) (A 37; S 19) (Staff: J. Plovnick)

#### School Lands

- 79 BROSAMER & WALL, INC. (APPLICANT): Consider application for a General Lease Industrial Use, of State-owned school land located in a portion of Section 36, Township 9 South, Range 13 East, SBM, north of Niland, Imperial County; for an unpaved equipment storage area enclosed by a chain link fence. CEQA Consideration: categorical exemption. (Lease 9106; A4175; RA# 2022350) (A 36; S 18) (Staff: J. Plovnick)
- CALIFORNIA HIGHWAY PATROL (APPLICANT):
  Consider application for a General Lease Right-of-Way Use, of 0.21 acres, more or
  less, of State-owned school land located
  within a portion of Section 36, Township 7
  North, Range 3 East, SBM, near Barstow, San
  Bernardino County; for an existing unpaved
  access road. CEQA Consideration: categorical
  exemption. (Lease 8969; A3624; RA# 2021325)
  (A 33; S 16) (Staff: D. Simpkin)
- SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE):
  Consider a revision of rent to Lease Number
  PRC 2378, a General Lease Right-of-Way Use,
  of school lands located in Section 36 of
  Township 11 North, Range 8 East, SBM, near
  Soda Lake, San Bernardino County; for
  existing electrical transmission lines, steel
  towers, and an unpaved access road. CEQA
  Consideration: not a project. (PRC 2378) (A
  34; S 19) (Staff: V. Caldwell)

Mineral Resources Management

CALIFORNIA RESOURCES PRODUCTION CORPORATION (LESSEE): Consider acknowledgment of a Quitclaim Deed for Oil and Gas Lease Number 8349, (no surface use), tide and submerged lands, Sections 5, 6, 7 and 8, Township 3 North, Range 4 East, Mount Diablo Baseline & Meridian, in the bed of the Mokelumne River, Sacramento and San Joaquin Counties. CEQA Consideration: not a project. (Lease 8349) (A 8, 17; S 4, 5) (Staff: N. Heda)

Marine Environmental Protection

- No items for this section.

Administration

- No items for this section.

Legal

- No items for this section.

Kapiloff Land Bank Trust Acquisition/Expenditure

CALIFORNIA STATE LANDS COMMISSION, IN ITS CAPACITY AS THE KAPILOFF LAND BANK TRUSTEE: Consider authorization to expend moneys from the Kapiloff Land Bank, pursuant to the Kapiloff Land Bank Act, Public Resources Code section 8600 et seq., for environmental studies, removal of coastal hazards, and legacy oil and gas well plugging and abandonment and remediation along the Santa Barbara and Ventura County coastlines. CEQA Consideration: Mitigated Negative Declaration and Mitigation Monitoring Program, State Clearinghouse No. 2002071146. (A 37, 38, 42; S 19, 24, 27) (Staff: C. Connor)

External Affairs

Granted Lands

- See Regular Calendar.

- VI Informational Calendar
- See Regular Calendar. VII. Regular Calendar 84-88
- 84 CALIFORNIA ENERGY COMMISSION
  (INFORMATIONAL): Presentation by the
  California Energy Commission on the Assembly
  Bill 525 Draft Strategic Plan for Offshore
  Wind Development. CEQA Consideration: not
  applicable. (A & S: Statewide)
  (Staff: J. Lucchesi)

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85 CALIFORNIA OCEAN PROTECTION COUNCIL (INFORMATIONAL): Presentation by the California Ocean Protection Council on the Draft State of California Sea Level Rise Guidance: 2024 Science and Policy Update. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: J. Lucchesi)

88

PORT OF SAN FRANCISCO (INFORMATIONAL):
Presentation by the Port of San Francisco on the
Port of San Francisco and U.S. Army Corps of
Engineer's Draft Integrated Feasibility Report
and Environmental Impact Statement for the San
Francisco Waterfront Flood Study. CEQA
Consideration: not applicable. (G 11-01)
(A 17; S 11) (Staff: M. Farnum, R. Boggiano)

63

87 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)

112

88 CALIFORNIA STATE LANDS COMMISSION: Consider supporting a Senate Joint Resolution (SJR 12, Min) that would urge the President of the United States and United States Congress to modify bankruptcy rules, in the event that an oil and gas lease is liquidated and terminated under the United States Bankruptcy Code, to prioritize plug and abandonment and restoration obligations that would protect the environment over secured creditor claims and to treat the plug and abandonment and lease restoration obligations for

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	debtor held oil and gas leases as nondischargeable obligations. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton)	118
VIII	Public Comment	123
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Х	Closed Session	124

At any time during the meeting the Commission may meet in a session closed to the public to consider the matters listed below pursuant to Government Code section 11126, part of the Bagley-Keene Open Meeting Act.

#### A. Litigation

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

- 1. The Commission may consider pending and possible matters that fall under Government Code section 11126, subdivision (e)(2)(A), concerning adjudicatory proceedings before a court, an administrative body exercising its adjudicatory authority, a hearing officer, or an arbitrator, to which the Commission is a party. Such matters currently include the following:
- California State Lands Commission v. Signal Hill Service, Inc.; Pacific Operators, Inc., dba Pacific Operators Offshore, Inc.; DOES 1-100
- California State Lands Commission, et al. v. Martins Beach 1 LLC, et al.
- Campbell v. City of Sacramento, State of California, et al.

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- Candlestick Heights Community Alliance v.
   City and County of San Francisco, et al.
- Casa Blanca Beach Estates Owners Association v. California State Lands Commission, et al.
- Center for Biological Diversity v. City of Long Beach and California State Lands Commission
- Dezirae Cadena, et al. v. City of Parker Dam, et al.
- Eugene Davis v. State of California and California State Lands Commission
- In re: Temblor Petroleum Company, LLC, Bankruptcy Chapter 11
- In re: Venoco, LLC, Bankruptcy Chapter 11
- Johns v. Orange County, et al.
- Martins Beach 1, LLC and Martins Beach 2, LLC v. Effie Turnbull-Sanders, et al.
- North Waterfront Cove and City of Alameda
  v. State of California, by and through
  the State Lands Commission
- 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.
- State Lands Commission v. Casa Blanca Beach Estates Owners' Association, et al.
- State Lands Commission v. Plains Pipeline, L.P., et al.
- United States v. Walker River Irrigation District, et al.

- William Buck Johns and Elizabeth
  Colleen Johns, as Co-Trustees of the
  Johns Living Trust, dated August 13,
  2007, et al. v. County of Orange, et al.
- 2. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(b), under which;
- a. A point has been reached where, in the opinion of the Commission, on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the Commission, or
- b. Based on existing facts and circumstances, the Commission is meeting only to decide whether a closed session is authorized because of a significant exposure to litigation against the Commission.
- 3. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(C), where, based on existing facts and circumstances, the state body has decided to initiate or is deciding whether to initiate litigation.
- B. Conference with real property negotiators

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

C. Other matters

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

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## PROCEEDINGS

CHAIR COHEN: All right. Let's start from the top again. Good morning -- good afternoon. It's February 26th. It's Monday. I'm excited to be here. I'd like to call this meeting to order.

All of the representatives of the Commission are present. I am your State Controller, Malia Cohen. I'm joined today on my right by Lieutenant Governor, Eleni Kounalakis, and on my left is Michele Perrault representing the Department of Finance.

Ms. Lucchesi.

2.2

EXECUTIVE OFFICER LUCCHESI: Yes, Madam Chair. And welcome to your chairmanship this year.

We have a quorum present. In addition I would like to identify members of the staff of the Commission participating virtually for this hybrid meeting. Our Zoom co-hosts are Mike Farina, Luke Ward, and Michelle Pelka. And our meeting liaison is Kim Lunetta.

I'll turn it back to you, Chair Cohen.

CHAIR COHEN: Thank you very much, Ms. Lucchesi.

For the benefit of those in the audience, the State Lands Commission manages State property interests in over 5 million acres of land, including mineral interests. The Commission also has responsibility for the prevention of oil spills at marine oil terminals and offshore oil

platforms as well as islands, and for preventing the introduction of marine invasive species into California's marine waters. And so today, we will hear requests and presentations involving the land and resources within the Commission's jurisdiction.

2.2

I want to take a moment to acknowledge and express my heartfelt gratitude to Nisenan, Wintun, and Miwok people who have inhibited the Sacramento River corridor valley and the foothills for countless generations.

I also want to take a moment to honor the California Native American communities all across the state for persisting, for carrying on diverse cultural and linguistic traditions, and showing us how to sustainably manage the land that we now share.

I want to lift up the native people and thank them because they have maintained a constant presence on the landscape for many thousands of years and they are essential stewardship partners whether along the coasts, along our rivers and valleys, or in our fragile deserts. We thank you, California Native American communities, for participating in this Commission's activities. And for your essential role in maintaining and adding to our State's rich cultural legacy.

The next item of business will be public comment.

Now, before I open a public comment period for items not on the agenda, first let me thank everyone, especially our stakeholders and members of the public for taking time to join our meeting.

2.2

Now, I'd like to turn it over to Ms. Lucchesi to quickly share some instructions on how we -- how we can best participate in this meeting so that it runs smoothly -- as smoothly as possible.

EXECUTIVE OFFICER LUCCHESI: Thank you, Chair Cohen.

For public comment we will take those members of the public who are here in person first and then hear comments from those members of the public who are participating virtually.

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

To help us call on you through Zoom, please raise your hand during the appropriate comment section in one of two ways. First, if you are attending on the Zoom

platform, please raise your hand in Zoom. When you -- if you're new to Zoom and you joined our meeting using the Zoom application, click on the hand icon at the bottom of your screen.

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Second, if you're joining our meeting by phone, you must press Star 9 on your keypad to raise your hand to make a comment. If you are calling in and want to view the meeting including the PowerPoint presentations, please view the meeting through the CAL-SPAN Live webcast link. There will be a slight time delay, but it will avoid an echo or feedback from using the zoom application and your phone at the same time.

We'll call on individuals who have raised their hands in the order that they are raised using the name they registered with or the last three digits of their identifying phone number. After you are called on, you will be unmuted so you can share your comments.

Please also remember to unmute your computer or phone and identify yourself. Remember, you will have a limit of 3 minutes to speak on an item.

The Commission has also established an email address to compile public comments for our meetings. Its address is CSLC.commissionmeetings@SLC.CA.Gov. We have received various emails and letters from parties that have been shared with all the commissioners prior to the

meeting. If we receive any emails during the meeting they will be shared with the commissioners and made available on our website along with the public comment emails we have already received.

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Chair Cohen, that concludes my hybrid meeting instructions and we are ready to move on to the general public comment period.

CHAIR COHEN: All right. Excellent. Thank you.

Okay, ladies and gentlemen. You now have the rules of engagement.

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

Michelle, could you please call the first person who would like to make a public comment.

PUBLIC LAND MANAGER PELKA: Thank you.

Our first public speaker is Wade Womack.

Wade, please unmute yourself and begin your comment.

WADE WOMACK: Hello, Commissioners. Thank you for the opportunity to speak and address you.

I'm with the Newport Mooring Association down

here in Newport Beach, and we're running into a significant issue whereby the city harbor commission has proposed increasing mooring rates up to 500 percent. this at the end of the day will squeeze out the entry-level boater out of Newport Harbor. So we'd like to bring this to your attention. And the granting statue has specific language that indicates that city or the trustee who's granted tidelands cannot discriminate the way they charge rates, fees, and tolls in the harbor. Right now, the mooring folks are paying up to five times more than many other tideland permit fees in Newport Harbor. harbor commission and the city push forward on this new rate proposal, the mooring folks, low guys on the totem pole, will essentially be paying 10, 15, 20 times more in tideland rates compared to other tideland permits, such as waterfront docks, commercial marina operators, and otherwise.

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So our local coastal program has specific language calling for the protection of moorings as affordable boating for low cost boating access in Newport harbor. And we would hope State Lands would take a good hard look at this and realize that the appraisal that the city has proposed or submitted is greatly flawed, it's not in line with how State Lands generally charges for submerged tidelands, and it's discriminatory in nature

against the mooring folks.

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So once again, just asking for State Lands staff to look into the significant issue that is going to be so harmful to so many California citizens who are just looking for good coastal access in Newport Harbor.

Thank you.

CHAIR COHEN: Thank you.

Michelle, please call the next speaker.

PUBLIC LAND MANAGER PELKA: Thank you.

Our next speaker is Chris.

Chris, please unmute yourself and begin your comment.

CHRIS BENZEN: Hello. My name is Chris Benzen.

Thank you for taking my comment. I'm also a Newport Beach resident and a mooring permit holder. And I recently got my mooring in 2021. And I purchased a boat shortly thereafter because, you know, you have to get a place to park a boat before you buy a boat. So I scrounged up the cash to get a boat and put down a loan to secure my permit in Newport Harbor.

Anyways, I was passed for it a couple years. My boat's been fully restored, and I've got it on the mooring. And me and my wife and -- my pregnant wife are about to have a kid in a couple weeks here. We use the boat almost every weekend. We just went fishing this last

Saturday. And right now, I'm paying \$133 a month for my 40-foot mooring. And the city is proposing to raise that to \$480 a month. So from 133 to 480 per month. And that's just not going to make that activity affordable for me. You know, I make a lot of money, but that difference is so dramatic that I fear that I'll have to sell my mooring permit that I hold and my boat, because I won't have anywhere to put it. And I won't be able to enjoy fishing anymore and in the way that I like to enjoy it by using my own boat on my own time.

I've been very heavily invested in this ever since the chatter has been going around that they're raising the rate. And I was looking into other uses in our harbor. And, you know, I have little tiny boat that I use to get to my boat on the mooring, and I'm paying, you know, \$150 for that dingy, because the city doesn't provide dingy dock access to a private moor -- dock holder, who's also using tidelands -- submerged tidelands. And I found out that the dock owner is paying only \$138 a year, where I'm paying 133 for my mooring per month.

So there's a great discrepancy here, whereby, you know, the moorings are already paying so much more money per month. And if you allow this, you know, the trustee -- the city of Newport Beach to increase this by four-fold or five-fold, you know, there's going be a lot

of people like us that are going to have to sell our boats. And what's going to happen to the boat market and the mooring market when we all have to give up at the same time?

Please look into this for us. And, you know, I would urge you to write a strong letter to the city of Newport asking them more questions about their appraisal.

Thank you very much.

CHAIR COHEN: Thank you.

Next speaker.

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PUBLIC LAND MANAGER PELKA: Hello. Our next speaker is calling in -- sorry. Our next speaker is calling in with phone number ending in 936.

You may unmute yourself and begin your comment.

EILEEN BOKEN: Eileen Boken, Coalition for San

Francisco Neighborhoods, speaking on my own behalf.

For the past 10 years, the Coalition for San
Francisco Neighborhoods has been advocating for the waters
off San Francisco's Ocean Beach to become part of the
National Marine Sanctuary. This may come to fruition this
year with the beginning of a management plan review for
the Greater Farallones National Marine Sanctuary. The
Sanctuary Advisory Council rarely meets in San Francisco.
However, this Thursday, February 29, the Sanctuary
Advisory Council will meet in the OSHA Building at San

Francisco Zoo, beginning at 9 a.m., with public comment at 10:40 a.m. I would encourage the State Lands commissioners and staff to join this meeting either in person or remotely and express their support for the waters off Ocean Beach to become a noncontiguous area.

New subject: The sand mining leases in San Francisco Bay will be coming up for renewal this year.

As the world is changing rapidly, I would urge your renewal for five years instead of for 10 years. I would also urge your reduction of 35 percent rather than 15 percent per allowable extraction amounts. A U.S. Geological Survey study has determined that sand mining in San Francisco Bay is increasing erosion and accretion on San Francisco's Ocean Beach. In view of climate change and sea level rise, this becomes more critical on ocean-side San Francisco as well as bay-side Francisco. This is reflected in today's SLC agenda, Item number 86, the Port of San Francisco's Waterfront Flood Study; and Agenda Item number 85, the OPC Draft Sea Level Rise Guidance.

Thank you.

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CHAIR COHEN: Thank you.

Next speaker.

PUBLIC LAND MANAGER PELKA: We have no hands raised for comment at this time.

CHAIR COHEN: Okay. Seeing that there's no folks in line in this chamber, I think that concludes our public -- first public comment period.

And the next item of business will be the adoption of the minutes from the Commission's meeting dated December 5th, 2023.

Is there any discussion on the minutes? No?

Okay. Is there -- may we have a motion?

CHAIR COHEN: All right.

ACTING COMMISSIONER PERRAULT: Second.

COMMISSIONER KOUNALAKIS: So moved.

CHAIR COHEN: Thank you.

I have a motion that's been moved by the Lieutenant Governor and seconded by the representative from the Department of Finance.

Is there any objection to a unanimous vote?

All right. Seeing that there is no objection to a unanimous vote, this motion passes unanimously.

Thank you.

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Okay. Let's keep moving.

The next order of business is the Executive Officer's report.

Ms. Lucchesi, may we have that report?

EXECUTIVE OFFICER LUCCHESI: Certainly.

Good afternoon, Commissioners. I do want to acknowledge and uplift Chair Cohen being our new Chair this year. We're really looking forward to working with you and your office in implementing your priorities.

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A couple other introductions I want to make is we do have a new commissioner, Commissioner Michele Perrault. She will be representing the Department of Finance today at today's meeting and hopefully at meetings in the future.

I want to also take a moment to thank former commissioner, Gayle Miller, for her many years of service on this Commission and her leadership and thoughtfulness in working with staff and working with our applicants and stakeholders to implement the Commission's strategic plan and all of our priorities over the last couple of years. Second, we also have new representatives from the Attorney General's Office. And our former Attorney General's Office Liaison Andrew Vogel has moved on to a different position. So with me today is Supervising Attorney General Jessica Tucker-Mohl. Also online is our newer -- our new liaison for the Attorney General's Office who couldn't be here in person. Her name is Sahar Durali. And she will be with us at our April meeting down in the Los Angeles-Long Beach area.

So really excited to have Sahar and Jessica with

us today. We've worked many, many years with Jessica and she's fabulous. So...

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And looking forward to continuing to partner with the A.G.'s Office through Sahar as well.

So just a couple things I wanted to update the Commission on since our last meeting in December. In January and February of this year, we hosted a number of all-staff meetings for Commission staff in Hercules, Long Beach and in Sacramento. We celebrated our many successes and accomplishments in 2023. We also shared priorities for this year, provided key budget and legislative information and updates, and had meaningful question-and-answer sessions with all of our staff.

Our key priorities for the year are in line with our strategic plan and really include prioritizing the climate crisis in all of our decision making and recommendations; implementation of our environmental justice and tribal policies and all of our work to effectuate meaningful, tangible benefits to both our environmental justice in underserved communities as well as our tribal communities. We want to really focus on being intentional and thoughtful and moving beyond just checking the boxes.

Another very key priority for us this year is to uplift our staff and our connection to each other, to the

Commission and to the lands and resources managed by the Commission. Recruitment and retaining talented and diverse staff are also priorities for our year ahead. And importantly, our all-staff meeting was a great opportunity for all of to us to get together in person and reconnect with each other and establish a shared vision for our year ahead.

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Next I want to just update the Commission on the State budget. On January 10th, the Governor released his proposed '24-'25 budget and announced an approximate \$37.9 billion shortfall. The Commission's total budget this year is proposed at 50 -- a little over \$51 million. And we don't expect impacts based on the Governor's proposed budget to our baseline budget.

We are working with the Administration to implement a 50 and -- up to 50 percent vacant position budget funding sweep; and that is going to be really critical because the way the Administration is approaching it allows departments to retain flexibility to fill key positions while also achieving the savings that we need to achieve this year.

So we are -- we do expect that departments' funding levels will be restored to the full appropriations in future years depending on the health of the State's budget.

Next I just want to update the Commission on our two key decommissioning projects. So we are continuing to finalize or complete the plugging and abandonment of the 30 wells at Platform Holly in the Santa Barbara Channel. We did have to do some additional work to address some pressure issues, and we're final -- completing that effort now.

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We also are starting to cut and remove the 30 well conductors that link the platform wellheads to the seabed. That is the final, final effort to actually say that we have completed the plugging and abandonment of the wells at Platform Holly and can move onto the actual assessing of the decommissioning of the platform itself.

So we anticipate moving forward with the CEQA process for the ultimate decommissioning of the platform in fall of this year.

With our decommissioning project at Rincon
Island, we actually are excited to announce that we are
looking forward to releasing the Draft EIR within the next
month. And that is a huge milestone to really trigger
more public outreach and engagement in looking at what the
options are for the ultimate disposition of the island and
potential reuse of that island.

And with that, that concludes my Executive

Officer's Report. I'm happy to turn it back to you, Chair

Cohen.

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CHAIR COHEN: Thank you very much. I appreciate that.

Commissioner Kounalakis, do you have any comments or questions?

COMMISSIONER KOUNALAKIS: Thank you very much, Madam Chair.

Let me just say I think that you just underscored, Ms. Lucchesi, that we have quite a bit on the docket this year. The Platform Holly decommissioning is going to be a big part of the Commission's work in 2024.

We have serious challenges ongoing with the Tijuana River. I think we saw on the news that the Governor spoke with President Biden about it during his most recent visit to Washington.

And of course, all of the work that the Commission does every year with Lake Tahoe, along our rivers, and up and down the coast.

So as we look forward to the very big agenda of 2024, the Commission, I just also want to add recognition to you, Madam Chair, as this being your first of many years as the Chair of the Commission.

And also to welcome our newest member,

Commissioner Perrault. We had a chance to chat a little

bit ahead of time. And I can tell that you have the kind

of enthusiasm for the work of the Commission that is really going to add and enrich our ability to tackle the challenges ahead of us.

And then, finally, just also to say, Gayle

Miller, if she's watching - or maybe we'll just make sure

that we let her know - just very important to recognize

Commissioner Miller's extraordinary contributions. There

are -- there are issues and policies that come before this

Commission that are sometimes really difficult to deal

with. And she provided a level of expertise and

understanding with her financial background, her

incredible critical thinking ability and ability to

problem solve; and of course just putting in the time and

the effort that it takes.

So, Commissioner Perrault, welcome. And, Commissioner Miller, we are so grateful for all of your contributions, and we'll miss you.

Thank you.

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CHAIR COHEN: Absolutely. Very well said. Thank you, Lieutenant Governor.

Well, Ms. Commissioner Perrault, this is your moment to shine.

ACTING COMMISSIONER PERRAULT: Well, I'm not sure I can follow that up. But I do appreciate the warm welcome. I -- this, candidly, is not my background of

expertise, and so I'm very much looking forward to learning alongside my fellow commissioners, with the support of the staff, who I've heard are amazing in their own rights. And so while I have some very large shoes to fill with Commissioner Miller, and certainly the expertise she brought, I'm looking forward to working with everyone, learning and really digging into I know what are some very important and perhaps some difficult decisions and moving forward with the great work that the Commission needs to do.

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So thank you so much. Appreciate the report as well and update.

CHAIR COHEN: Thank you, and welcome once again.

So I'm going to move on to the next order of business, which would be the adoption of the Consent Calendar.

Commissioner Kounalakis and Commissioner

Perrault, are there any items that you'd like removed from the consent calendar?

COMMISSIONER KOUNALAKIS: No.

ACTING COMMISSIONER PERRAULT: No.

CHAIR COHEN: Seeing none. Okay.

Well, next I'd call on Ms. Lucchesi to indicate which items, if any, have been removed from the consent calendar.

EXECUTIVE OFFICER LUCCHESI: Certainly. 1 Consent items 17, 49, 66, and 78 have been 2 removed from the agenda and will be considered at a later 3 time. 4 Back to you, Chair. 5 CHAIR COHEN: All right. Thank you. 6 Is there anyone joining us who wishes to speak on 7 8 any of the items remaining on the consent calendar. If so, Michelle will call on them in order. 9 PUBLIC LAND MANAGER PELKA: We have no hands 10 raised for comment at this time. 11 CHAIR COHEN: All right. Well, Thank you. 12 Hearing that there's none, we will proceed with 13 the vote. 14 May we have a motion to adopt the consent agenda 15 16 and a second? COMMISSIONER KOUNALAKIS: So moved. 17 CHAIR COHEN: All right. Motion made by Eleni 18 Kounalakis. 19 20 ACTING COMMISSIONER PERRAULT: Second. CHAIR COHEN: And seconded by Commissioner 21 2.2 Perrault. 23 May we take this object -- without any objection? COMMISSIONER KOUNALAKIS: Yes. 24 25 ACTING COMMISSIONER PERRAULT: (Nods head).

All right. Indicating yes from both ladies.

This passes unanimously.

Thank you.

Let's call the next item. The next order of business will be the Regular Calendar.

Yes.

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EXECUTIVE OFFICER LUCCHESI: Certainly.

So the next item is Item 84, which is a presentation by the California Energy Commission on Assembly Bill 525, the Draft Strategic Plan for Offshore Wind Development. And we have two presentations today.

The first I'm honored to introduce virtually, is Chair Hochschild of the California Energy Commission. And he'll be providing some opening remarks and then turning it over to his esteemed colleague Elizabeth Huber, who will present here in person.

Chair Hochschild.

(Thereupon a slide presentation).

CEC CHAIR HOCHSCHILD: Yeah, good afternoon,

Madam Chair and Commissioners. I'm David Hochschild,

Chair of the California Energy Commission. I'm sorry not

to be able to join you there in person. We had a big

dedication ceremony for a new battery factory today with

Secretary Granholm in San Leandro, which I just came back

from. So it was for a good cause.

I wanted to just begin by thanking Jen Lucchesi. She's been an absolute delight to work with and really appreciated her professionalism and collaboration in this effort.

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So what I'd like to do. I just have two or three slides I wanted to walk through - if you'd go to the next slide - just to provide a little bit of context about what's happening.

## [SLIDE CHANGE]

CEC CHAIR HOCHSCHILD: So the future in that we're building, the future of our climate strategy, the future for much of our economy, is going to really flow through electric lines and not through pipes. And what we're doing now is really a laser focus on greening the grid to a hundred percent clean electricity. We're at about 60 percent today, on the precipice of getting to two-thirds of our electricity coming from clean carbon-free sources. As you may recall, the Governor signed legislation recently which accelerates the mandate now to 90 percent by 2035 and a hundred percent by 2045. So that's the path we're on.

Really alternative energy is the wrong word to use to describe clean carbon-free renewable energy in California. Fossil is now the alternative energy. And here in the State and across the country, solar and wind

are now the two cheapest sources of new electric capacity in the United States and in California. So growing fast, and that's really -- attributes to California policies.

And we go to the next slide, please.

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#### [SLIDE CHANGE]

CEC CHAIR HOCHSCHILD: So coupled together with this effort to green the grid is a massive effort to electrify almost everything, but most importantly the transportation secretary -- transportation sector. Excuse me.

If you recall, at the height of the wildfires and the climate consequences our state was struggling with in 2020, Governor Newsom signed this Executive Order mandating a hundred percent zero-emission vehicles by 2035. An absolutely landmark executive order, which has now been copied by other states, by the European Union, really to drive transportation electrification mainstream.

I'm happy to share that we are now at 25 percent of new vehicle sales in the State of California being electric. Now, that's up from 8 percent when he -- when Governor Newsom began his term in office. And we're the first state in the country where the best selling vehicle is electric. We have more electric charge plugs in California than we have gasoline nozzles. And, of course, a major push as well on the industrial side of things as

we scale EV manufacturing in everything from electric vehicles. We have the most productive electric vehicle factory in all of North America. To electric school buses. We just gave a \$30 million grant last week for a company making electric school buses in Southern California. And electric motorcycles and so forth.

Let's go to the next slide.

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#### [SLIDE CHANGE]

CEC CHAIR HOCHSCHILD: An, in fact, even electric tugboats. California just took delivery of the very first electric tugboat in the world.

We also have 36 long-range electric semi-trucks operating in California; 520-mile range, fully loaded, electric semi-trucks. And we're seeing now the electrification of the ferry fleets beginning in the Bay. Electric buses.

And incredible new vehicles coming to market: Ford F-150 Lightning electric truck; there are Zero motorcycles; and so forth.

So we want everything that connects to the grid to be a good citizen of the grid, and that's the major focus of our work here at the Energy Commission. But I say all this to point to the fact that we're going to need more electricity, and it's absolutely critical that that electricity be clean, carbon-free electricity.

We have 40 percent of our gas fleet in the State of California in the power sector is located in disadvantaged low-income communities. And to retire those facilities we ultimately really need to accelerate technologies like offshore wind.

So next slide.

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#### [SLIDE CHANGE]

CEC CHAIR HOCHSCHILD: So about a year-and-a-half ago the Energy Commission adopted the State goal after an extensive public process of 25 gigawatts of offshore wind for California by 2045, and 2 to 5 gigawatts by 2030. So this is basically using a floating wind technology, because we have a deep water shelf. So the main difference between the East Coast and the West Coast in water depth is what we -- our shelf goes quite deep pretty fast. So the technology we're using is essentially a tripod structure where the wind turbine is mounted on a floating platform. Actually, that platform is tethered to the seafloor with three high tension cables.

I've had an opportunity to see floating wind projects personally in Scotland and Portugal, Norway; and can tell you that this technology is really, really coming to scale and, you know, one of the things you realize when you get up close is that the size of the turbines is such that now one rotation of a turbine of this scale powers

two houses for a day. So it really is a significant asset.

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And in negotiating early on with the Bureau of Ocean Energy Management, you know, we have this agreement to do the siting very far offshore. So we've leased now 583 square miles off the Central and North Coast of California 20 miles offshore. So that is really further than anyone else in the world in terms of distant from the shore, which really reduces impacts, avian impacts, and visual impacts and so forth because it's so far from the shore.

So in closing, I think two points I'd like to make. I mean one is that this is both a cleaner energy climate strategy and an industrial strategy because we want to make sure that the turbines and the cells and the towers, you know, are manufactured to the great degree possible here in California, creating high wage union jobs.

But also looking ahead I think it's useful to think about the evolution of the electric grid in California in sort of four distinct chapters. The early chapter was where a grid had a little bit of renewables but was majority fossil. The current chapter we're in now is where we're majority clean carbon free and minority fossil. The next chapter will be really a hundred percent

clean carbon free with gas as a backup. And then the final chapter will be a hundred percent clean and a hundred percent clean backup. You know, that's helpful.

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But part of reason for moving ahead with offshore wind is we really do need new significant sources of utility-scale clean energy generation that's low impact. And so that was the basis for the whole offshore wind legislation AB 525 that the Governor and the Legislature have approved. And it's been a very, very lengthy process with many stakeholders. And I also want to thank in addition to the Lands Commission, our colleagues at the Coastal Commission, Ocean Protection Council, Fish and Wildlife, and our Bureau of Ocean Energy Management, PUC, Department of Energy and the CAISO, and many others that we've worked with, and many, many stakeholders.

And with that, let me turn it over to Elizabeth Huber.

Elizabeth, over to you.

CHAIR COHEN: Good morning, Elizabeth. Welcome.

David, thank you very much for that presentation.

It's good to hear your voice. Hopefully next time we'll see you in person.

So as Ms. Elizabeth gets things together...

ELIZABETH HUBER: Can you hear me okay?

CHAIR COHEN: We can.

ELIZABETH HUBER: Awesome. Let me turn this down a little bit.

Thank you, Chair Hochschild.

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Good afternoon, Chair Cohen and Commissioners.

My name's Elizabeth Huber. I lead the CEC Siting,

Transmission, and Environmental Protection Division, as we fondly call STEP, which is responsible for reviewing and preparing environmental reviews and other technical analyses of applications submitted to the CEC by developers seeking a license to develop certain types and sizes of thermal and clean and renewable generating facilities; our power plants, if you will.

The STEP Division also works on long-range infrastructure planning including developing land-use information for use in statewide energy infrastructure planning and offshore wind energy.

It's my pleasure to be here today to talk with you about the State's offshore wind planning efforts that will play an important role in the portfolio of solutions and that will enable the State to meet its climate, renewable, and clean energy goals. These efforts have led to the draft AB 525 Strategic Plan that was published on January 19th, and sets the analytical framework for offshore wind energy development off the California coast and federal waters.

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[SLIDE CHANGE]

ELIZABETH HUBER: First we need to ask the question, why AB 525? And enacting AB 525, the Legislature found and declared among other things that if developed and deployed at scale, offshore wind energy can provide economic and environmental benefits to this State and the nation. Offshore wind energy can advance California's progress towards its statutory renewable energy and climate mandates.

Diversity and energy resources and technologies lowers overall costs, and offshore wind can add resource and technology diversity to the State's energy portfolio to serve the electric needs of California ratepayers and improve air quality, particularly in underserved communities.

Investment in offshore wind energy development can offer career pathways and workforce training and clean energy development.

AB 525 also states that offshore wind should be developed in a manner that protects coastal and marine ecosystems.

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[SLIDE CHANGE]

ELIZABETH HUBER: The CEC in collaboration with

multiple State agencies held more than 200 meetings, workshops, tribal listening sessions, and intergovernmental roundtables, biweekly and monthly working group meetings and one-on-one conversations to develop this strategic plan.

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To ensure that the State's energy is safe, affordable, reliable and clean, California established three governing institutions: the CEC, the California Public Utilities Commission, and the California Independent System Operator. The CEC works with these agencies on energy policy including offshore wind planning. Specifically, we worked with the CPUC on planning and procurement; and we worked with the Cal ISO on operational reliability, transmission and inner-connection.

The CEC also works with the California Air Resources Board on an overarching greenhouse gas policies.

For offshore wind environmental impacts and strategies, to mitigate them, the CEC consulted and coordinated with our CNRA partner agencies, including the State Lands Commission, Ocean Protection Council, California Coastal Commission, and the Department of Fish and Wildlife.

Finally, specific to California's workforce development, we consulted with the Labor and Workforce

Development Agency and the Workforce Development Board.

In other words it took a collaborative effort of State agencies to get us to where we are today on this strategic plan.

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[SLIDE CHANGE]

ELIZABETH HUBER: As a starting point for developing the Strategic Plan, AB 525 mandated the CEC in collaboration with these partner agencies to complete three interim reports. First, the Planning Goals Report, where, as Chair Hochschild mentioned, goals of 2 to 5 gigawatts of offshore wind by 2030 and 25 gigawatts by 2045.

Then there was a preliminary assessment of economic benefits of offshore wind related to seaport investments and workforce development needs and standards.

And finally, the Offshore Wind Energy Permitting Roadmap, which discussed the different permitting approaches.

These interim reports are included referenced in the draft Strategic Plan along with the State Lands

Commission's Ports Readiness Plan and Workforce

Development Readiness Plan and other consultant reports.

Next slide please.

[SLIDE CHANGE]

ELIZABETH HUBER: There are three volumes of the Strategic Plan. Volume 1 is an overview of the actual plan, Volume 2 is the full comprehensive Strategic Plan, and Volume 3 are the reference appendices.

The AB 525 statute required at a minimum five chapters specific to identification of potential suitable sea space, economic benefits, workforce development and ports infrastructure; transmission needs for offshore wind; a permitting pathway; and identification of impacts; and strategies to address them.

This report also includes additional background about offshore wind technologies and the industry as a whole around the world.

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# [SLIDE CHANGE]

ELIZABETH HUBER: AB 525 Strategic Plan addresses economic and workforce benefits and this image provides a good visual of the types of beneficial impacts that can come from offshore wind development.

Direct offshore wind benefits can come from direct activities, such as construction of ports and offshore wind turbines, and the operation and maintenance of these projects.

Indirect benefits affect their local economy and industries by increased demand such as on-site demand for

components, equipment, and supply chain services spurred by the offshore wind development industry.

Induced benefits include the increased expenditures from new household income generated from direct and indirect effects. That's the ripple through the economy, if you will.

For example, increased household income is typically spent back into their local communities. Many of the benefits can come from construction at ports, which are short-term; while long-term benefits can come from the manufacturing and supply chain sectors.

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ELIZABETH HUBER: AB 525 requires the Strategic Plan to identify and develop strategies to address the potential impacts of offshore wind on coastal resources, the fishing industry, Native American indigenous peoples, and the national defense. The CEC and the partner agencies conducted extensive outreach to tribal governments, fisheries, environmental groups and other partners. While the chapter evaluates numerous potential impacts for various tribal governments and local groups, this image is a good example of a potential impact and mitigation strategies specific to marine life, which concerns all of us.

This chapter goes into great detail about potential impacts and strategies to address them.

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ELIZABETH HUBER: AB 525 also requires the identification of potential new sea space to meet offshore wind planning goals. The Bureau of Ocean Energy Management process would further evaluate for potential wind areas. Several key considerations came into identifying potential sea space: Wind characterizations, such as wind speed and wind consistency; ocean characteristics, such as seafloor depth, open-bottom slope, distance to shore such as the areas identified that are at least 20 miles from shore, the existence of sanctuaries and protected areas, and the incident of marine resources such as marine habitats, marine mammals, birds, and turtles. Also including existing ocean uses: fishing, shipping lanes, military operations, and cultural resources.

The CEC has identified six areas in federal waters which are sufficient for sea space areas to meet the 2045 25-gigawatt goal. However, as much as 50 percent of sea space identified could be unsuitable for offshore wind development due to various conflicts with marine resources and other ocean uses discussed further in the

report.

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ELIZABETH HUBER: Ports and infrastructure are significant investments for the waterfront infrastructure as needed for staging and integration, manufacturing and fabrication, and operations and maintenance to support the offshore wind industry.

The State Lands Commission support plan estimated that an investment of about 11 billion to 12 billion dollars would be required for upgrading existing port infrastructure to meet the 2045 planning goal. A collaborative port development strategy is needed to support various port upgrades along with the identification of funding sources at the private, State, federal and local levels. An efficient permitting process will be needed as reviews can take multiple years. A nice kickoff though can be shared that on January 23rd of this year, thanks in collaboration with our federal senators and congressional representatives, the Humboldt Bay Harbor Recreation and Conservation District received about a \$427 million grant for the construction and maintenance of offshore wind infrastructure provided by the U.S. Department of Transportation.

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And we're in the homestretch here.

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ELIZABETH HUBER: Going to hit every chapter. Sorry.

In looking at workforce development needs and standards, we conducted significant outreach to California unions and labor organizations, all of whom are very eager to see the industry grow. This figure shows that the supply chain and manufacturing sector account for most offshore wind jobs. These jobs will likely be stable; long lasting, more than 30 years; and high-paying jobs which provide the most significant economic benefits to local communities.

Supply chain and manufacturing jobs will be distributed across the State as the offshore wind supply chain expands and port facilities are upgraded to manufacture and provide material, services, and components.

The most needed skill in the near term for the offshore wind industry are in the trades, technicians, and construction sectors - many skilled trade jobs with specific training and certifications that can be obtained from apprenticeships and vocational training programs. Additionally, community benefits agreements will be an important to the communities in establishing meaningful

workforce and economic benefits.

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ELIZABETH HUBER: AB 525 required the CEC to assess transmission investments and upgrades to support the 2030 and 2045 offshore wind planning goals. And this was in consultation with the CPUC and Cal ISO. Chapter 8 covers the transmission technology and alternative assessment and discusses the transmission infrastructure needed to bring the generation to shore. The plan draws from the Guidehouse consultant report which assessed the status and cost of offshore wind-related transmission technologies.

Some technologies are still emerging and not yet commercially available, such as dynamic cables, floating substations, and DC breakers. The plan also draws from the Schatz Energy Center's -- Research Center's study of transmission alternatives in the North Coast. Significant investments and transmission upgrades and new transmission infrastructure will be needed to meet those planning goals.

Chapter 9 then discusses transmission planning and interconnection and identified next steps. This includes proactive transmission planning will be needed to meet those goals. Phased approaches to offshore wind

transmission development should be considered. Landscape level planning for transmission is needed to evaluate potential corridor options and environmental land-use conflicts not historically addressed in existing transmission planning processes. Eliminating duplication and need determinations and environmental reviews for transmission projects can help ensure that they come on line in a timely and efficient manner.

Finally, the transmission planning process should considered input from offshore wind stakeholders, tribal governments, underserved and local communities.

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identified several approaches for coordinating and consolidated permitting of offshore wind projects. The plan suggests an approach patterned after the Renewable Energy Action Team, fondly known as the REAT, structure and process that was developed by the State and federal agencies to improve permitting for large renewable energy on projects in the California desert. The REAT approach could ensure a coordinated, comprehensive and efficient process for offshore wind permitting. It would implement a project-specific permitting schedule and create a process for reviewing project documents and coordinating

with leasees on information needs. The plan recommends that the State engage early and consistently with BOEM on its offshore wind programmatic environmental impact studies. And this could help to ensure that analysis is reflective of the State's priorities as it relates to data collection, analysis methodology, impact identification, and mitigation measures.

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ELIZABETH HUBER: Lastly, here are the links to the AB 525 Strategic Plan webpage and links to all three of the volumes as well as our interim and contract reports. We are hosting a public workshop on the strategic plan on March 20th. It will be a hybrid of in-person and remote access.

Comments are due then by the end of March. And within the CEC's Notice of Availability posted, contains information about public participation, including sign-up for our service list as well as a link to file public comments.

We expect to bring the final strategic plan to a CEC business meeting for proposed adoption later this spring.

With that, this concludes my presentation; and I thank you for inviting me here today.

CHAIR COHEN: Thank you very much for your presentation. We appreciate you not only educating us but also inspiring us. I had a chance to attend the offshore wind conference convened by the tribes. And it was in Eureka last month. I think that's where we first met.

ELIZABETH HUBER: Yes.

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CHAIR COHEN: And it was just -- it's -- the goals seem very daunting. And -- but there was so much energy and excitement in the room that it would be enough to propel us to reach those goals.

I also want to acknowledge that I had chance to also while in Eureka take a tour of the Humboldt Harbor District. I suggest anyone go visit it. It's absolutely a beautiful, just -- truly a beautiful tour.

But let me get back to my notes, because I'm going off script. So, let's keep this moving. I'm just pouring out my heart to you.

So, let me go back to you, Commissioner
Kounalakis. I wanted to see if you had any comments or
questions.

COMMISSIONER KOUNALAKIS: Thank you, Madam Chair.

Elizabeth, thank you very much to you, to Chair Hochschild, to every one over at the CEC for doing the work that was part of AB 525 and bringing it here to present to us. I'm very proud that I was one of the

sponsors of AB 525 at a time where just even talking about offshore wind seemed to be beyond where, you know, we really projected we would be I think at this point in time.

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And of course part of the reason is because of the nature of the California coast. It's very deep. The water is very rough. And offshore wind -- floating offshore wind is a relatively new development. And so, I think that the Chair, recognizing that he's now been to three locations where floating offshore wind is installed and working, it's really important for him to share with us.

But it's also important that everyone knows, and I think that your presentation highlighted this, is that we are, as California so often is, on the front lines of new cutting-edge innovation when it comes to this particular kind of clean energy.

Of course, we're one of the first and most well-developed in terms of wind onshore, but offshore floating wind is a very major undertaking.

So as I was listening, and kind of reading between the lines, but also from what I've been hearing as I have been out and about, is that, you know, there are challenges and then there are challenges. And so we can talk about funding is a challenge, but that's a -- that's

a knowable challenge. We know how to solve that kind of a challenge.

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There are other things I think that are trickier. And so I'd like for you, if you would, just to maybe unpack a little bit more two things that I heard you say: One is that of those areas that have been identified and federal leases have been issued to the five now leaseholders, private companies who -- you know, who are working toward developing these turbines, you mentioned that up to 50 percent of the identified regions might not be suitable. So I'm wondering if you could give us a little bit more of an understanding of what you mean by that, what you found; but also what that might mean to our 2030 goal of 3 to 5 gigawatts and to the, you know, goal of 25 gigawatts by 2045.

But also the second thing I heard you say - and I have been hearing this as well - is that once we build the infrastructure, which again a noble problem that we can do, once we get it into place, we have to transmit that energy back to shore. And I think I heard you say that there are elements of construction of all of this, including of the transmission lines, that include components that are either not currently available at all because those problems haven't been solved yet or there are pieces of equipment that will allow us to be build

these, you know, systems but they're not commercially available.

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So when I think about, you know, AB 525, and what we set out to do, underpinned now by the work of the Commission to give us the roadmap of how we're going to get there, and I hear a couple of things embedded in your report that seem to me to be pretty significant hurdles. And I'm wondering if you could draw those out a little bit for us. But I think its really important that we identify these as early as possible so we can come up with a plan of how we're going to overcome them.

And I also will note that I had the incredible pleasure of being there for Chair Hochschild's swearing in for his next five-year term. And that means that he's basically going to be around; he's not going to be able to put this off to the next guy. So in order for State Lands and for all of us to be as helpful as possible, knowing where these -- you know, these pinch points on delivering offshore wind are as early as possible I think it's just going to be so important.

CEC CHAIR HOCHSCHILD: Lieutenant Governor, would it be okay if I just respond to that --

COMMISSIONER KOUNALAKIS: I didn't know you were still there, David.

CEC CHAIR HOCHSCHILD: I'm still here. Yeah, I

just -- I'll just quickly respond that we have -- actually I have to jump for another call with all of the offshore wind lessees.

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But I think a good way to think about the barrier busting that needs to happen, there's basically four key issues that have to be dealt with. And I think of it as PPPT. So procurement, ports, permitting and transmission. And I think those are really the key issues. And there's a process to deal with all of those.

I will just say, you know, looking ahead at the obstacles we have to overcome, there's nothing that I see that's outside the realm of a solvable problem. And it has been very, very helpful and instructive to go visit other countries where they're doing floating offshore wind.

We were in Norway for a big summit with about seven U.S. states that went over there. Norway just installed the largest floating wind project in the world. You know, Portugal and Scotland have had projects for a number of years. And of course, Denmark has over 500 offshore wind turbines.

And I think one of the exciting things is, you know, while we're not the first to do offshore wind or floating offshore wind, we do have a benefit here of being able to draw on lessons learned and best practices from

elsewhere. That will be really helpful.

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I also think it's essential going forward that we really lean into the partnership with the federal government. The passage of the IRA, the Infrastructure Act, can bear a lot of fruit, and it just has for the ports. Of course the North Coast just got nearly half a billion dollars. That's complementing 45 million that we're investing as our down payment on ports here in California. And I really want to thank the Port of Long Beach, Port at Humboldt, Port of San Diego, Port of San Francisco, Port of Stockton and others who have been engaging in our process. But that partnership, I think, can help bring in a lot more money to California.

And just looking specifically at the technologies that we need, there's nothing that is -- that feels unsolvable to me at all. And, In fact, I think in many ways it's much simpler than, say, dealing with a nuclear plant or something like that. And so I think we can overcome all these. This is all very much in the category of the moment that we're in, which I think of as the great implementation. We're kind of done with goal setting. It's really about getting it done.

With that, I have to say thank you, and I'll pass to Elizabeth.

CHAIR COHEN: Thank you very much, Mr. Chair.

ELIZABETH HUBER: Thank you, Chair.

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On a side note, I happened to be at the swearing in. And for those of you who don't know, our Lieutenant Governor has a great sense of humor. So, if you ever get a chance to listen to that side of your conversation. So I was glad to you see there.

So to put some framework to what the Lieutenant Governor said, the Department of -- the U.S. Department of Energy does -- they have what they call a pipeline for offshore wind. And there's 11 states in that pipeline. Ten of them are on the East Coast. And California is the only West Coast state right now, to reemphasize what you have said. And so with that, we are looking at -- because of our outer continental shelf, we have to look at floating technology versus fixed bottom, which is what you see on the East Coast.

So what we did for -- and most all our work is done in-house. I've got a great team of staff working on offshore wind, but also land-use and sea-space identification. So what I'd like to -- our GIS team always likes to call -- likes to compare it to lasagna. And so you are layering as we look through the sea space off the California coast, right. So it's State waters from 3 miles in, and then 3 miles to 200 miles it's federal waters, and then you go into international waters.

So with that said, we know that we have to go out at least 20 miles for the first floating wind turbine farm. So with that, what we've identified in our first interim report is, what could we feasibly do? And with that, we identified a maximum feasible capacity average of at least -- there's at least 28 to 30 gigawatts of potential out there in -- or off our coast. So that would address our goals of 25 gigawatts by 2045.

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And then our first goal at 2030 is 2 to 5 gigawatts. And we did that -- which is a segue into your -- second part of your question. And we did that looking at our existing infrastructure.

What could the ports do to enhance to make their ports available? And what was our transmission infrastructure? And what we do know, between Morro Bay an Humboldt, we have the infrastructure to do about 4.7 to 5 gigawatts of offshore wind; about 1.2 to 2 on the North Coast, as we call it; and about 2.5, 2.6 in Morro Bay. So with that, that's how we came up with the 2030 goal.

And then, so leading into -- so I hope that addresses the 50 percent that -- and we hope -- and we like to share that, because we want people to know that -- Californians to know we don't plan on putting wind farms up and down the state. Right? We know historically, for those of you who don't, when the Energy Commission was

actually going through the legislative process to become a commission, there was discussion of anywhere from 80 to 100 nuclear power plants in the State. Anyhow, that was a big scare in the early '70s during an energy crisis. So we put the out there to let them know that we're not touching, you know, more than 50 -- you know, we're not touching at least 50 percent.

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So then you talk about transmission. And so one of the things that is unique so, yes, we've had the ability to travel, and in our travels we've been able to invite our partners in -- from tribal government representatives, underserved communities, other, you know, partner agencies. So we've had the ability to go and look at floating technology in action at utility scale.

But they don't have the distance that we're seeing here. And so we know like, for instance, in Morro Bay, we have one right about 20 miles offshore. But then they go out, you know, closer to 40, 50 miles. And some of that electricity is going to actually be transmitted potentially down further south and then come onshore. And when you're talking these subsea cables of over 300 metric miles, that's where there's been development but we haven't seen it commercially dispersed. And we know there's going to be some pilots. We've seen it in some of — in Asia. But we're keeping a close track on how

that infrastructure for these subsea cables and how they'll lay on the floor bed will actually -- will actually work. So we just put a little precaution out there. But it's a collective effort between these countries -- between the East Coast states and California.

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And we also have a grant that we received through the Department of Energy that's actually being just extended. And it was a multi-million dollar grant that we partnered with the Schatz Energy Center. And this also includes the Oregon Department of Energy and the Oregon State, and looking at transmission off the North Coast and bringing it onshore, and then how we're going to partner on some of these corridors.

So a lot -- still some -- a lot of work still going on.

COMMISSIONER KOUNALAKIS: Thank you. Again, I -- we're six years away from the 3 to 5 gigawatt goal. Six years. That is -- it's a lifetime in politics. It's a blink of an eye in policy.

 $\label{eq:solution} \mbox{So I hope that we hear from you as often as we} \\ \mbox{can --}$ 

ELIZABETH HUBER: Absolutely.

COMMISSIONER KOUNALAKIS: -- as we start to see the implementation of the elements of what we're going to need to get there. But also as the -- as the whole

roadmap starts to emerge, because with every step forward we have more clarity over what's left to do.

ELIZABETH HUBER: Yes.

COMMISSIONER KOUNALAKIS: Thank you. And -- you know, maybe I'll just actually say one more thing, if I may, Madam Chair.

You know, Chair Hochschild said it very well. The time for setting goals has past. We're in the implementation. If we are going to meet our 2030 goals, our 2035 goals and on, we have to be building stuff. We have to have the workforce to do it. We have to have the process in place, the stakeholders on board. And we're past the setting of goals and the advancing of vision. We actually have to build this stuff. Otherwise, I -- I don't think anyone really can imagine how we're going to get to our 2045 goals without this, except for, you know, innovations that we don't know of at this point.

So good luck.

(Laughter).

COMMISSIONER KOUNALAKIS: And thank you. And please keep State Lands as involved as we can be in order to be able to help move it along.

ELIZABETH HUBER: Oh, absolutely.

You guys have a big lift ahead of you with

25 SB 286.

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I do want to mention - I'm sure you may have some questions - but Cal ISO did do their 20-year outlook, and I will forward that presentation on. And half of that presentation was specific to offshore wind deployment. So that means trans -- you know, the transmission lines, the distribution lines as they get smaller. And so know that this collaborative work that we've done in this draft strategic plan is showing up in our other planning efforts.

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And I do want to emphasize that we're here today because of some landmark legislation, Senate Bill 100 that was -- it's moving us to 2045, to clean and renewable.

And so offshore wind is one piece of what it's going to take to meet that overall 2045 goal. And we are getting ready to put out our 2025 SB-100 joint agency report. And I share that with you because as the Lieutenant Governor clearly articulated, the 2021 version of that report stated that we'll need at least 600 megawatts of clean and renewable energy to come online starting now to get us to our 2024 -- 2045 goal. So you're right, it's a -- this is a key component for this overall success that we know we will make in 2045.

Is there any other questions?

ACTING COMMISSIONER PERRAULT: Yes, just real quick. And I apologize if this seems like an elementary

question as I'm learning.

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ELIZABETH HUBER: No.

ACTING COMMISSIONER PERRAULT: I appreciate all the information. I look forward to being able to read further into the draft report and also the Cal ISO report.

You mentioned briefly the East Coast -- there's ten states there that look like they're in some sort of a collaboration and working together, and then there's just us over here on the West Coast. You mentioned very briefly Oregon, and one of the things I noted to ask before you said that is just what is the capacity of collaboration with our other West Coast states, specifically I'll say Oregon and Washington, in this space? Is that something -- again, I know we have our own environmental factors as far as being able to utilize offshore wind, and maybe they're different than that on the East Coast. But I just -- is it -- you mentioned very brief. I mean, maybe you can just talk a little bit further about that -- at least conversation that's happening with Oregon.

ELIZABETH HUBER: Oh, absolutely. So first -- and congratulations and welcome. And you will probably be getting invited. There is a -- it's either -- it's like every six weeks there is a collaborative meeting with Washington and Oregon and California, and we talk on a

variety of topics, and offshore wind obviously comes up quite often on that.

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And so initially our conversations are around what California is doing and -- and we have different goals and policies than the other states. But the -- they're still in the process of doing sea space identification; what does that look like? And how far, you know, off the coast and federal waters will they have to go. And then they have -- as the Chair indicated, we have some immediate needs to deploy offshore wind by 2030. And that in -- that initially means we need ports that can do staging and integration. And you've -- if you haven't heard, Humboldt and the Port of Long Beach both have raised their hands really high to be doing that.

And then we're going to need ports doing the manufacturing assembly and some of the other -- you know, other components that are needed for offshore wind.

So what we've learned from the East Coast states is in their consortium -- we're blessed -- we forget we're blessed with such a long coast. So our coastline is almost equivalent to 9 of the eastern states. And so they have a similar -- they have a little more challenges working with, you know, ten states, when you add New York in there, than 3 states on the East Coast[sic].

So what they've learned is how they've got to

partner with getting that electricity onshore. We know with Rhode Island that where they're floating -- where their fixed bottoms are, their cable has to go through Massachusetts back into Rhode Island. And so they've got some lessons learned there.

So with Oregon, it's all transmission we're planning with them.

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ACTING COMMISSIONER PERRAULT: Okay.

CHAIR COHEN: I wanted to go back a little bit to some of the comments that I talked earlier about the tribal offshore wind summit. What struck me about the wind summit was the tribal government's concern about receiving real constructive government-to-government consultation, whether they're feedback is meaningfully considered and also adopted into the final planning effort.

And even in the presentation that was made, I was -- you maybe made one sentence of acknowledging the tribes' involvement. But I want to make sure that we're not overlooking their legitimate concerns.

What I heard was they also expressed concerns about already underserved and historically excluded communities, both on the North Coast, also on the Central Coast, and actually receiving economic benefits from offshore wind as a development.

Now, certainly representing communities of color I see this all the time, people feel invisible, they feel like their concerns aren't being taken seriously and oftentimes just dismissed at the wayside.

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And we have seen this before. A large company comes in and reaps the profits from the community. And the community is not receiving any benefit and actually burdened by the pollution and/or the other unintended impacts.

So I see this as being addressed in the draft plan. But I wanted to know if you could elaborate a little bit more on exactly how you will be collaboratively ensuring that the people in these communities are meaningfully informed, consulted, of course compensated, and ultimately hired.

ELIZABETH HUBER: Absolutely. That's a great question.

And so -- so we are not the lead agency. So I will defer to Ms. Lucchesi over here on how the State Lands will be implementing that engagement. What I can tell you is we've been partnering to date since the AB 525, and it was enacted in January of 2022. We had -- at the CEC we had already established with other mandates tribal intergovernmental roundtables and consultations where we have a list of questions, and we -- and we ask

them and spend two hours, you know, listening and taking that feedback; and we captured all that in the appendices and also summarized it within the report.

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To date, we continue -- CEC continues to be lead on organizing biweekly tribal government-to-government engagement, and these are virtual. We just had one last Friday. So we will continue that, specific to offshore wind.

We also have been working with environmental justice organizations from CORE Hub up in the North Coast to CAUSE down in the Central Coast.

We also work with Brightline Defense, an environmental foundation, throughout the Bay Area.

And then we've also -- with the Chair

Hochschild's leadership, have also -- and taken them -because it's one thing to talk about it and see it on -you know, on a picture or on a YouTube video. But we've
also had the opportunity to invite these partner
representatives on an East Coast tour, and on internet -international tours. And so we will continue those
conversations and collaboration. And based on, you know,
that there's different components to -- to deploy offshore
wind. And I think the biggest piece that we've learned,
so my division also received the AB 205 Opt-in that
includes economic and community benefits agreements.

And so we are -- we're learning altogether as we move forward the importance of all that. And we've shared our lessons learned within this draft report. And that will be key in the permitting process that BOEM is doing.

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So much of the -- the indicators that you've just mentioned that are key, what we can do as the State is to ensure that these requirements have been met in their federal permits, because these are floating in federal waters. And then our portion comes in is as electricity gets transmitted from federal waters to State waters and on land. And I don't want to speak for the State Lands Commission, but we do identify in here the recommendation of parallel environmental impact reports to their programmatic environmental impact study. And this is where, again, we can be tracking and ensuring what is required in the federal permit that is ac -- it's actually being administered and implemented. And we could have a role in conditions to our license, is that they're meeting the conditions of their federal license.

CHAIR COHEN: Got it. Thank you very much for answering the question so robustly.

Let's see. I'm going to turn to Ms. Pelka to see if there's any public comment.

PUBLIC LAND MANAGER PELKA: Our first commenter is Anna Christensen.

Anna, please unmute yourself and begin your comment.

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ANNA CHRISTENSEN: Okay. Did you promote me? Hello?

PUBLIC LAND MANAGER PELKA: Yes, we can hear you.

ANNA CHRISTENSEN: I was the last one to sign up.

I don't know how it got to me first.

All right. I'm commenting on behalf of the nonprofit of which I'm the Executive Director of the Puvungna Wetlands Protectors.

My concern -- or our concern in looking at this issue both locally with the pure wind project but primarily in the Central Coast is -- was expressed by the last commissioner, should talk about --

CHAIR COHEN: Ma'am, can you speak up a little bit louder. We're having a hard time hearing you in the ballroom.

ANNA CHRISTENSEN: Sorry. My concern -- our concern is about the lack of communication with community, especially tribal entities and environmental groups. Some of the groups that were listed do not include environmental groups that are -- have concerns about offshore wind.

But I wanted to talk about the timeline here, because to us it seems a bit of a treaty breaking

situation here. We have NOAA being approached and moving forward in 2021 with its -- with the proposal for the Chumash National Marine Sanctuary with specific boundaries that were brought forth by the tribe -- by one of the three tribal groups. Since that time, we now have six possible boundaries, each one smaller than the next; all proposed to benefit others - not tribal people, not tribal sacred sites - all proposed to -- for developmental and other interests, especially in terms of wind energy. Little pieces cut out.

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And we see this history with tribal -- with tribal people always on the losing side. And I -- you know, I just have to say that -- that this is a kind of green colonialism. And even the word "clean" is so weird. Clean energy.

So what I would like to propose is that the National Marine Oceanic Administration be compelled to honor the tribal proposal rather than have these pieces cut out to benefit the, quote-unquote, energy needs of others.

The tribe consists not only of humans but it consists of this history connected to the land, connected to these sites, and connected to all the living beings.

There is no doubt that the impacts of wind energy, like any other form of energy on nature, are going to be

serious and consequential, and already are now. Because this marine sanctuary is smaller simply because of the decision in 2021 to move forward with AB 525. And I would like to point out that when you look at who was involved in that bill, there was not consul -- tribal consultation and there was not tribal consent. And that's the number one thing. Internationally, tribal consent is required by the United Nations. Until you have tribal consent, all of the listening sessions in the world don't mean anything because there's no power.

Thank you very much.

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CHAIR COHEN: Thank you very much for your comments. That is your time.

All right. Ms. Pelka, are there any other speakers?

PUBLIC LAND MANAGER PELKA: Our next speaker is Ann Cantrell.

Ann, please unmute yourself and begin your comment.

ANN CANTRELL: Good afternoon. Ann Cantrell, Co-Chair of the Sierra Club, Los Cerritos Wetlands Task Force.

Can you hear me?

CHAIR COHEN: Yes.

ANN CANTRELL: Thank you.

We oppose siting of wind turbines off the coast of Morro Bay. This proposal to site wind turbines here has caused NOAA to reduce the original proposed boundary where the Chumash National Marine Sanctuary by over 2,000 miles of ocean.

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The loss of marine sanctuary territory is violating the rights of the Chumash and other impacted indigenous tribes to protect tribal lands and cultural practices.

One of our task force main goals is to eliminate all oil and gas production in the Los Cerritos wetlands in Long Beach. So we applaud clean energy. However, we must be careful not to replace one evil energy source with another. We're especially concerned that wind turbines currently kill over 250,000 birds a year. By placing these turbines in the same area used by seabirds for foraging and migration, the numbers will drastically increase.

These noisy turbines will also disrupt the sensitive solar -- sonar of whales and dolphins using this migration route. We urge the use of quieter bird-safe turbines.

We also question the choice of the Port of Long
Beach to assemble the wind turbines for Morro Bay and
Humboldt Bay. This means that turbine parts will be

manufactured out of state, shipped to Long Beach for assembly which requires the dredging of the ocean floor to -- and created landfill in Long Beach Harbor.

Then the turbines, which are taller than the Eiffel Tower, must be hauled by barge through the Santa Barbara Channel, up the coast to Morro Bay and Humboldt.

This will add to air pollution in Long Beach, which already has the dirtiest air in the country. We question why the manufacture and assembly is not closer to the final location of the turbines.

We have many questions and we have submitted our comments to the BOEM -- the Bureau of Energy Management on their Draft EIR.

Hope that you will take note of these problems too.

Thank you.

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CHAIR COHEN: Thank you for bringing that to our attention.

Ms. Pelka, are there any other members of the public that would like to comment?

PUBLIC LAND MANAGER PELKA: Yes. Our next speaker is Jacqueline Moore.

Jacqueline, please unmute yourself and begin your comment.

JACQUELINE MOORE: Hi. Thank you so much.

Good afternoon. My name is Jacqueline Moore of PMSA.

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I would first like to thank Chair Hochschild and Director Huber for their presentation today. There are many State agencies that certainly have a stake in offshore wind. So the transparency and public interagency engagement here with State Lands and CEC is much appreciated.

I did want to take this opportunity to share our comment with State Lands as it relates to the shipping industry and the Strategic Plan, which is critical in order to meet the State's goals.

As we know, AB 525 compels CEC to assess potential impacts to stakeholders. However, it does unfortunately lack any identification or analysis of impacts to the shipping industry. And we need to be evaluated as any other ocean user and resources are.

As outreach the last few years to the agency, the draft plan does recognize us as a large ocean user and that our interests are therefore an important consideration. Though it unfortunately only goes so far as to say additional discussions are needed.

So certainly not fulfilling an intent of the legislation there.

This plan presents the critical opportunity to

formally identify, assess, and publish impacts to the commercial shipping industry. Now, to be clear, we have a vested interest in offshore wind and supportive of it in practice. This is simply but critically a concern of navigational safety and maritime commerce.

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And I wish to aid the agencies, Moffatt and Nichol, and others that are engaged in this effort. And I -- or rather the industry welcomes the opportunity to continue to collaborate with State Lands, CEC and others to ensure that such language is included in the final Strategic Plan.

So I look forward to working together on this.

And that concludes my comments. Thank you.

CHAIR COHEN: Thank you. We received those

Ms. Pelka, are there any other speakers?

PUBLIC LAND MANAGER PELKA: We have no other hands raised for comment at this time.

comments. Appreciate them.

CHAIR COHEN: All right. Thank you very much.

And seeing that there are none in this ballroom.

Just as a reminder, this was an informational item so there is no vote that is required.

So we're going to keep moving forward. We're going to go to Item 86, which is a presentation by the Port of San Francisco on the Port of San Francisco and

U.S. Army Corps of Engineers Draft integrated feasibility report and Environmental Impact Statement for the San Francisco Waterfront Flood Study.

May we have the presentation now?

EXECUTIVE OFFICER LUCCHESI: Yes. The Port of San Francisco will be presenting virtually. And first we'll hear from Port Director, Elaine Forbes.

CHAIR COHEN: Fabulous.

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ELAINE FORBES: Good afternoon. I'm Elaine
Forbes, the Port Director of San Francisco. It's actually
a big pleasure to be here.

(Thereupon a slide presentation).

ELAINE FORBES: And in preparing my remarks, I was thinking that, you know, sometimes when you're in the trenches you lose some faith in yourself and in others about what you can actually achieve on the big problems. And here we've had such intense collaboration and so many complexities and so many challenges, and we have very high quality work and very promising work. And it really gives me a lot of confidence that we can and will solve these big problems including sea level rise. So I think -- I hope you feel equally inspired today.

This process has put us into really deep conversation with other agencies, the San Francisco Transportation Agency; our public utility, the SFPUC and

others; and these conversations are really paving the way for all of us in terms of our best approach on the complexities of public systems, infrastructure, mega projects and along the water's edge as just one example.

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We've had the privilege of presenting to the BCDC Commission just last week. Of course, they have a huge role in this work. And we are the implementers of that vision, and we do so through policy and regulation. So we're engaged with BCDC on the fit gap analysis essentially, as the agency tackles the regulatory reform that we need because of sea level rise. And we know the State Lands Commission is a huge partner in this effort. So we're so excited about that future collaboration.

And to our Chair, Controller Malia Cohen, thank you so much for coming to the California Association of Port Authorities, CAPA, a Port Day. You're trying so hard to make us succeed and have so much effort into our success, and so it's good to see you.

And to Commissioner Kounalakis, you were also at Ports Day. And, you know, you have been an absolute game changer for the Port of San Francisco, and your actions are just ricocheting through the well-being of the organization, and I know will continue to do so. So we're so lucky to have you.

And to the State Lands' other commissioners; to

your wonderful Executive director and staff, you do such great work to address our challenges today and to the future. We just simply couldn't do it without you.

So the draft plan here is a major milestone, and you're just about to see why. It's only been possible with public engagement, and we need more. So please keep it going.

I'm going to turn it over to Brad Benson, who has so skillfully led us through this process, and he is the lead of our Waterfront -- our Waterfront Resilient Program team.

So with that I turn it to Brad.

Thank you.

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CHAIR COHEN: Great. Thank you.

BRAD BENSON: Thank you so much, Director Forbes.

And Chair Cohen, Commissioners, Director

Lucchesi, we really appreciate the time today on the

agenda to share our work. We're really looking at

adapting a major urban waterfront to address sea level

rise; and also we've got major seismic risks along the

waterfront.

We're fortunate to have a collaboration with the Army Corps of Engineers through the -- you know, they are the federal government's lead agency to examine whether or not there's a federal interest in addressing local flood

risk. And so -- next slide please.

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BRAD BENSON: We're -- with the benefit of this study - and it really is an empirical study - we're looking over a hundred-year period of analysis along the Port's 7-and-a-half-mile jurisdiction including lands inland of the Port. We're at a key milestone in this study where we've looked at the risks and now have a draft plan. You'll see it's very high level. But it will inform subsequent stages of funding and design on the path to targeted construction.

The current cost estimate for this draft plan is \$13.5 billion. This is a very high level preliminary cost estimate. We want to emphasize to folks that it will change as we move through the design process.

If the chief of engineers recommends a project to Congress, the federal government may pay 65 percent of the cost. Even that 35 percent cost is well over 4.5 billion and would require a combination of local, regional and State sources.

As I mentioned, it's a collaboration between the Port and the Army Corps, so we're paying for half of the study. Our team is actually helping to conduct the study and develop the draft plan, and we're doing it in consultation with the other key infrastructure owners and

other departments that are vital to this effort.

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BRAD BENSON: You all have this presentation.

This is a link to the full feasibility report on the

Port's website. We also have a more publicly accessible

story map that folks can walk through.

Next slide please.

## [SLIDE CHANGE]

BRAD BENSON: We're in a very important public comment period. We've been out publicly over the last six years asking for the public's values for our waterfront. But this is an important set of NEPA workshops that we have this week starting with tonight and through Thursday. We've got the Army Corps team in town helping us to conduct these workshops to gain feedback on the study and the draft plan. These are other ways that members of the public can comment on the plan electronically.

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# [SLIDE CHANGE]

BRAD BENSON: So this is a brief agenda of what we're going to cover today, starting first with the risks and hazards. Then we'll talk about where we are in the flood study and next steps after that. I'll walk through very high level the elements of the draft plan, and then

we'll conclude.

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BRAD BENSON: As we look at waterfront risk and hazards - next slide please.

[SLIDE CHANGE]

BRAD BENSON: -- we look at it through all of what people views the waterfront today. I think as the Commission and staff know, we've got one of the most publicly accessible ports, you know, certainly in California but maybe in the nation. A broad diversity of uses, from visitor serving uses to maritime and industrial uses, including some amazing habitat areas in the Port's southern waterfront.

So when we're thinking about these earthquake and flood risks, we're thinking about through the lens of people who use the waterfront today, and also thinking about a level of investment like this and how we can leave this waterfront even better than it is today.

Next slide please.

[SLIDE CHANGE]

BRAD BENSON: So we have urgent flood risks today, in our creeks, in our southern waterfronts. This is at Pier 96 in the top right-hand corner -- right-hand corner of the slide.

And then on the left-hand side, this is the bomb cyclone event from March of 2023, just south of the Ferry Building. Had this event occurred at an extreme tide elevation, we would have had very significant flood damages along this area of the waterfront. We're quite concerned about the Embarcadero Union portal that is just south of this location.

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BRAD BENSON: What we're seeing through this study is that San Francisco is very vulnerable to sea level rise over time.

This is looking at the extent of sea level rise inundation by 2100; and you'll see that most of the areas that were historically filled with the maritime and other purposes would be reclaimed by the bay without action. By 2050, our model shows that up to 500 structures and assets, including BART and Muni, would be vulnerable to the flooding. With up to one foot of sea level rise by 2140 over the entire study period damages could amount to -- up to 23 billion. That's on the Army Corps' high sea level change projection.

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BRAD BENSON: We also see that there's very

significant earthquake risk. The Port conducted a multi-hazard risk assessment looking at both earthquake and flood risk along the Embarcadero seawall area. And what we found were that we have very weak soils behind and under the seawall that will not perform well in a very large earthquake. And we know this based on historical evidence. The bottom right photo is a photo of lateral spreading along the Embarcadero right near today's Pier 27 cruise terminal. The Army Corps report quotes the Port's multi-hazard risk assessment extensively, and this is helping us think about the design of future coastal flood defenses so that they can withstand a major earthquake.

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most densely developed area of the city shown here in the yellow line and really the Port jurisdiction. There are other efforts underway by the city at somewhat lesser levels of development to address other parts of the city's coast. And the city has a goal through its Sea-Level Rise Action Plan to develop a unified strategy for the entire peninsula over time.

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BRAD BENSON: So now moving through the flood

study. We're lucky to have this general investigation. This is the tool that the Army Corps uses to determine a federal interest in federal funding for coastal flood defenses. We've been at it since 2018. We're excited to have the draft plan because now we get an opportunity to get public feedback on the plan. With that public feedback and technical feedback that we may receive including from State Lands staff, we hope to develop a recommended plan for consideration by Congress in 2026.

Congress has to authorize the plan before they can appropriate funding for a first design and then later construction activities.

We don't expect construction to start until after 2030, and it could extend over decades.

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BRAD BENSON: We're looking at an uncertain future. The Army Corps process looks at both the Army Corps' projections of sea level rise. We've also included analysis of the State's projections of sea level rise. We've designed a plan that can deal with multiple scenarios. So we're not picking one curve to the one sea level rise projection to respond to. We're designing an adaptive plan that can respond to varying rates of sea level rise.

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BRAD BENSON: So we have developed the draft plan through the Army Corps' process, first looking at risks and impacts to communities.

As I mentioned, we've been seeking public comment report efforts over the last six years. In 2022, we released seven draft adaptation strategies that we're looking at totally different approaches: maybe retreats, defending at the current shoreline, living with some water. And took all of that work and the public's comment on those seven strategies into the Army Corps' more formal cost benefit analysis and engagement with other city agencies to pick and choose the best elements of those seven draft adaptation strategies to come up with the draft plan that I'm going to show you today.

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BRAD BENSON: These are some of the key sort of areas, public values, that we've heard in the public engagement process that we've conducted. People have affirmed a focus on life safety and emergency response.

But generally they really want us to think not just about infrastructure along the waterfront but how people use the waterfront and what the opportunities are that we

can incorporate in the plan to improve habitat, and really consider racial and social equity and environmental justice in an investment of this scale.

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BRAD BENSON: So historically the Army Corps has looked at the most economically efficient plan to address a flood problem, really looking at impacts on the nation's economy. There's new guidance affecting all Army Corps projects, and we're one of the first large urban projects that is now looking at other factors, regional economic impacts, environmental issues, including bay habitat and environmental impacts, and importantly other social effects including disproportionate effects on vulnerable populations. So we've developed metrics across all four of these categories. And that has really helped us select the draft plan, justify it in a way that is leading to more of a multi-benefit plan than we've seen historically in other Army Corps projects.

I think the Army Corps is very excited about this new approach.

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BRAD BENSON: The other first is that this is the first major urban setting where the major driver of flood

risk is sea level rise, as opposed to, say, hurricane risk, occurrent risk. So the plan is looking at first actions totaling over \$13 billion to defend against a foot-and-a-half to three-and-a-half feet of sea level rise within a monitoring program looking at a range of climate indicators to determine the timing of subsequent actions.

The Port has some Proposition A bond early projects to address seismic risks that we see along the waterfront and early flood risk that the Port is implementing those. But what this points to is not just a single federal project but a longer-term relationship between the Army Corps and the City of San Francisco.

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BRAD BENSON: So the draft plan is addressing these major questions: Where are we going to build flood defenses? How high? And we want to gain that elevation slowly over space so that we're not building walls along the shoreline. So we need to figure out what that adaptation space is. That will also help us address the -- or seismic conditions that I showed you earlier.

And then thinking about after this first investment how can these flood defenses be adapted to even higher water levels in the future?

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### [SLIDE CHANGE]

BRAD BENSON: So there's a lot that's not being decided at this moment. We don't have detailed designs for these flood defenses. We haven't figured out the public realm design, what would go back on top in the future, whether it's streets, open spaces, other, you know, city infrastructure systems. We need to develop a funding plan for the local share of cost as well as a phasing plan and sequencing of construction. And we get public feedback during all of those subsequent efforts.

We're also mindful that while this is a very large investment in the waterfront, it's not the only investment in the waterfront. We have projects like the Piers 30-32 and Seawall Lot 330 project, with whom we've worked with your staff on. We want to make sure that we're structuring this investment in a way that can align with those other investments in the waterfront, whether they're public/private partnerships or other infrastructure investments.

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BRAD BENSON: So just to move into the Draft

23 Plan.

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[SLIDE CHANGE]

BRAD BENSON: This slide really summarizes what's in the Draft Plan. The area that you see shaded in yellow and orange here is the area where we would raise the shoreline to address either a foot and a half of sea level rise or three and a half feet of sea level rise, and that's really in the Ferry Building area. As we raise the shoreline, we would make ground improvements or other improvements to stabilize the shoreline, so that we're addressing that earthquake risk.

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As we raise the shoreline we have to think about stormwater and how it's managed in the city. Much of it goes into the combined sewer system. But extreme storm events produce rainfall that exceeds that capacity of that combined sewer system. So stormwater travels through streets, and with the help of gravity, finds low points along the waterfront to discharge to the bay. We'll need a new system of managing that stormwater as we raise the shoreline. So we'll need storage capacity, pumping capacity, green infrastructure to handle that stormwater.

It's a human-nature design, but there are opportunities to introduce engineering with nature to help us with this problem primarily in the creeks. And then for those who know the San Francisco waterfront well, we've got this gorgeous collection of historic resources that intersect the shoreline primarily in the Embarcadero

Historic District. And so the plan thinks of that as with elevating shoreline how we adapt some of those resources.

You'll see in the Fisherman's Wharf area that that yellow line ends. And I'll talk a bit about this -- more about this. Centrally in that area it's a bit higher, and so we had a strategy of floodproofing piers in selected buildings.

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BRAD BENSON: So starting with the wharf, you know, this area of the city generally rises up to a higher ground elevation more quickly. The shoreline's a bit higher. We have breakwaters here. So that model is showing a lot less in terms of flood damages in the near term.

So this floodproofing strategy is a lot less disruptive, and it also means less initial federal investment. There is an opportunity through that monitoring program to raise the shoreline, as I'll show you in other areas of the waterfront.

So we're really looking to some of the Port's investments including Proposition A bound projects to address earthquake risk in this area of the waterfronts.

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BRAD BENSON: The plan is very robust in this Ferry Building area of the waterfront. This is one of the most densely developed areas of the city. We've got BART and Muni exposed to flood risk.

The Plan looks at elevating the shoreline to address 3 and a half feet of sea level rise in this area, raising the Ferry Building, largely leaving the existing piers at their current elevation with short floodwalls. And then those inland drainage improvements that are needed when you've raised the shoreline. We're going to three and a half feet of sea level rise. You know, an elevation that will address that in this area to avoid multiple disruptions over time.

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Oh, actually if I can just go back to a prior slide.

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BRAD BENSON: I do want to mention that the plan calls for actually raising the Ferry Building, which is a great feature of this plan. It's also looking at rebuilding the wharves, which are shown in the red here, at a higher elevation. Those are some of our weak links in terms of the condition in the Embarcadero Historic District. So that action, plus the short floodwalls around the piers will extend the life of the district.

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[SLIDE CHANGE]

BRAD BENSON: We're seeing a lot of flood risk in Mission Bay. Here the plan proposes to elevate the shoreline to deal with a foot and a half of sea level rise along with those ground improvements, shoreline stabilization improvements. There's a lot more opportunity for nature-based features in this area of the waterfront.

And the subsequent actions would come in based on monitoring and elevate the shoreline to address three and a half feet of sea level rise. In this area we have some bridges over the creeks that would need some closure structures that would be used very infrequently to keep water out of surrounding neighborhoods.

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BRAD BENSON: And then there's a very robust set of improvements included in the plan for our Islais Creek Bayview community. This includes the Port's maritime facilities at piers 80 through 96, light industrial uses and Muni bus facilities surrounding Islais Creek. So the plan is looking to elevate the shoreline to deal with a foot and a half of sea level rise along with seismic improvements, nature-based features along the creeks; and,

importantly, we really want to address contamination in this area of the waterfront. The Port's done a lot of this work historically, but this is one of the key messages that we've heard from this community is their concern about environmental contamination and how sea level rise could elevate the groundwater tables and make things worse.

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BRAD BENSON: So just closing out with next steps. We're very pleased that your staff is participating in the Resource Agency Working Group that we've established to advise both the Army Corps and the Port. We'll be engaging with them to see what their technical comments are.

We know that there's a big question about the use of Public Trust lands for adaptation. We look forward to collaborating with State Lands staff on that study.

And then just thinking about the cost of this plan, this is bigger than the city's 10-year capital plan can absorb, and really do need other funding sources at the regional and State level. And there's a big policy discussion to have about this, including the proposed 2024 climate bond, which may or may not be placed on the ballot by the Legislature.

So I'll stop there, conclude my presentation.

And we're available to answer any questions that you may have.

Oh, sorry. Last slide.

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BRAD BENSON: And this is something Director

Forbes keeps on underscoring for the resilience team, is

this really is a generational once-in-a-century type of

opportunity to invest in the waterfront, to not only

address the risks that we're talking about, but invest in

the type of waterfront that we all want for the people of

California.

So I will stop there. Thank you.

CHAIR COHEN: Okay. Thank you, Brad. It's Malia here. It's good to be working with you, but in a different way. But still on the same subject matter that we started almost 14 years ago. I was thinking that I've been listening to the capital -- the 10-year capital plan for like 14 years now. And, you know, I live in the southeastern part of San Francisco. So these neighborhoods, these concerns are very real.

And I think the plan and how you elevate the shoreline is just -- it's fascinating. It's just fascinating when you think about how the earth is changing, how we as humans have impacted this change and

our response to this new life.

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The Bay is something that's -- some place that's very dear to my heart, you know. Most of you know I grew up in San Francisco. I represented the southeastern neighborhoods that we're talking about for eight years on the Board of Supervisors. I personally have witnessed, slash, experienced the flooding. The King Tides are always fascinating to see, but yet scary when you think about how quickly the streets and roadways can be impacted. Major storming. The creeks -- the hidden creeks that our forefathers built over always rise, making it sometimes virtually impossible to get to certain parts of the city.

So I want to focus my comments a little bit on the importance of the racial and social equity of this plan and of this proposal, just paying careful attention to a very highly educated and engaged environmental justice community.

I want to make sure that they continue to be considered in this plan, and that we do consider to protect -- as we consider to protect the Bay.

This proposed plan is from my perspective encouraging. I feel like I've heard different renditions of it, over the last, like I said, almost 15 years. Even before running on the Board of Supervisors -- for the

Board of Supervisors in 2010, to be knowledgeable -- even as a candidate I had to spend a lot of time with the Port team who does an excellent job of engaging neighborhood, community, government, our ancillary partners.

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So this proposed plan is encouraging for the waterfront, which is a key economic driver for the City and County of San Francisco. And all I'd like to say is that I look forward to the public feedback on the final plan.

And, Brad, you and your team are doing an excellent job.

I commend also Ms. Elaine Forbes. Thank you.

Now I'm going to turn to the Lieutenant Governor. I think she's got a few comments.

COMMISSIONER KOUNALAKIS: Well, thank you very much, Madam Chair. Yeah, well, during the time you were a supervisor in San Francisco, I was very proud to serve as an appointee on the Port Commission. And I remember when we kicked off the actual planning phase of this.

And I actually want to also recognize the incredible efforts of San Francisco's Congresswoman Nancy Pelosi, who's worked so hard to make sure that the partnership is really truly there with the Army Corps of Engineers. That's going to be so important over time to actually construct the improvements that are going to be

needed.

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You know, one of the things that struck me when the plan was first revealed is just how much we don't know about what is under those roads. And the fact that during the times when the frontage of the city was first built, just everything was very different in terms of process to build things. And there's a -- it's going to be really difficult to get in there and basically rebuild the front of -- you know, and the interface with the Pacific of one of the most extraordinary cities anywhere in the world.

CHAIR COHEN: Careful, you're showing your bias.

COMMISSIONER KOUNALAKIS: No, I think that's objectively true.

(Laughter).

COMMISSIONER KOUNALAKIS: But it's going to be a huge undertaking. But this is the kind of thing that is simply necessary as a result of human emissions over the last several hundred years that have led us to this point where we are actually having to rebuild our city confronted with the science around climate change that's leading to the change in the volume of the Pacific Ocean. It is a remarkable thing to have to consider.

So being at this stage with an actual plan to protect the city is incredibly important. And so I'm just very impressed with the work that's been done and with the

partnership with the federal government in order to be able to get where we want to go.

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I also think that it's important to remember that there's a lot we still don't know about the rate of the change in sea level rise. We have our models, but they tend to be somewhat conservative. And they also tend to be correlated to action to slow down the heating of the -- the warming of the planet.

And so I think we also have to remember that if the rest of the world is not moving forward with the same kinds of goals that California has, then this situation could actually be even worse.

So all that to say there are not many parts of the 850 miles of California coast that are going to be quite as complicated to protect from sea level rise as the frontage of the City of San Francisco. So that -- I think that's a good thing, because it's going to be a challenge. But again just as we're talking the previous item, it is not a challenge that is beyond our ability to address it.

So thank you to all the leadership of the San Francisco Port. Elaine Forbes and her incredible team. Federal partnership. And of course the State involvement.

And, Jennifer, this work is going to go on well beyond I think our -- the tenure of probably everyone in this room. But during the time that we are here it is

incumbent upon us to help move this project forward as quickly and as efficiently as we possibly can.

Thank you.

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CHAIR COHEN: Thank you.

I don't want you to feel like you have to speak every single time.

ACTING COMMISSIONER PERRAULT: I appreciate that, no.

I was actually just going to say I appreciate the information. And really do -- you know, again, not having a huge amount of background, I would just echo the Lieutenant Governor's comments about just the magnitude of what this is going to take.

So appreciate the comments, appreciate the information. And I am looking forward to learning more about how we're going to tackle this.

CHAIR COHEN: Great.

Brad, please keep us posted on how things go with your pitch to Congress, I think, in order to get funding to complete this project.

Okay. With that, I want to turn to Michelle and ask if we have any public comment.

PUBLIC LAND MANAGER PELKA: We have no hands raised for comment at this time.

CHAIR COHEN: All right. Thank you.

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So again, ladies and gentlemen, this is an
1
    informational item. No vote is required.
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             So we're going to continue.
 3
             Actually let me just check. Does anyone need a
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   bio break?
             Great. We'll take five minutes.
6
             (Off record: 2:09 p.m.)
7
8
             (Thereupon a recess was taken.)
             (On record: 2:24 p.m.)
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             CHAIR COHEN: All right, everyone. Let's go
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    ahead and get -- and reconvene.
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             We are now -- remind me. Where are we?
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             EXECUTIVE OFFICER LUCCHESI: We are moving back
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    to Item 85 to hear a presentation from the Ocean
14
    Protection Council on their Draft Sea Level Rise Guide.
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             CHAIR COHEN: Great. Thank you.
16
             Item 85.
17
             EXECUTIVE OFFICER LUCCHESI: Yes. And they will
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19
   be presenting virtually.
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             (Thereupon a slide presentation).
             DR. BEN HAMLINGTON: Thank you, everyone.
21
   thanks for the invite.
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23
             And I apologize in advance. I'm going to have to
    log off right after my presentation to go to another
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25
   meeting. But Justine Kimball who will be speaking after
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me will be able to give answers to any questions I have here.

So okay. I want to go over the updated science that's coming out of the California State Report.

So if you go to the next slide.

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DR. BEN HAMLINGTON: Okay. So within this report I think you're all familiar with the 2017-2018 documents. The 2017 Rising Seas Report was the most updated science back in 2017. And then 2018 report really covered the guidance on top of that.

We're basically providing the update of those two reports but folding it into one document this time. So, the updated science is coupled very closely with the updated guidance.

And one important thing to note here which you'll want to really convey is that the science has progressed unsurprising since 2017. And as a result the numbers within the report have changed.

So in terms of what's new, it's really two large scientific efforts that represent the update for the foundation of the report and the science section of the report.

The first of these is the IPCC-6 assessment report. This came out in 2021.

The next one is the federal technical report, which I was one of the co-authors on along with authors and scientists at other federal agencies, where we took the information from the IPCC-AR6 and really brought it down to the national level. Now with this report we're taking it one step further. We're bringing it down to the California State level, and really trying to provide information that's most applicable to the California coastlines.

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So within this report we're including five sea level scenarios which span the time periods from 2020 all the way out to 2150. And what we're doing with these scenarios, which I'll talk about in the next slide, is really trying to provide the range of plausible sea level rise as we go out into the future at these different time periods. And like I said, we're localizing this information to California. So this is very specific. Even though we're using global models, relying on global reports, this is localized information to the fullest extent that the science supports to California.

So we provide these statewide, so there's a one degree grid that we do along the California coastlines and also at 13 individual tide gauges. There's a lot of questions about the need to downscale this further to get even more localized. We really are evaluating the current

state of modeling to be able to provide the highest resolution information possible, and also evaluating how sea level and the different processes that affect sea level varies along the coastline.

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So based on the available science we're not missing anything, any processes that are important to looking at sea level rise in these time scales.

And then we're providing story lines for each of these sea level scenarios. Again I'll show that in the next slide. But we have these five different scenarios from low to high. And then we're talking about which scenario's going to be most likely as we go on to the future.

All right. And here are these five scenarios.

Again, like I said, they go low to high.

[SLIDE CHANGE]

DR. BEN HAMLINGTON: The number you see in parentheses is the -- is how these scenarios are defined. So they're defined by a target value of global mean sea level as we go out to the year 2100. This is in meters. I'll show everything else in feet. But we're defining these based on kind of nice round values in terms of meters.

But these go from low to high, like I said. And I've colored them according to how they're grouped. So

this low scenario is the assumption that the current rate of sea level rise continues into the future. This is a very unlikely scenario on the low end based on current commitments in terms of reducing global emissions. This would be a very, very aggressive reduction in emissions and limited warming going on to the future.

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These two I've labeled in green to intermediate-low and intermediate scenarios. These cover a range of different warming levels in emissions pathways. And these two really bound what we're calling the most likely amount of sea level rise as you go out to the year 2100.

That term "most likely" is something new that we've introduced in this report. But what we're doing there is we're leveraging multiple lines of evidence so the current trajectory of warming, the current trajectory of sea level rise, and the modeling that scientists have the most confidence and the most consensus in.

These last two scenarios that are labeled in red there, the intermediate and high scenario, really represent what we're considering the worst case for future sea level rise as we go out to the year 2100 and beyond.

These two are labeled in red because they represent scenarios that are heavily affected by rapid ice sheet loss. We hear all the time about stories about

Doomsday Glacier and the potential of high-end contributions from rapid ice sheet melt. These two scenarios really span that high-end space. So we are trying to capture the worst-case scenario with that high scenario.

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I do want to convey that there is still a lot of disagreement among scientists as to how these processes that could contribute to these scenarios will progress.

Within the report we called them low confidence processes. They're really just to underscore the fact that scientists are still working on these issues and trying to refine these high-end estimates.

So as you'll see within the next couple slides here --

# [SLIDE CHANGE]

DR. BEN HAMLINGTON: -- these are also the scenarios that are most likely to change as you go out into the future. Okay.

So I'm showing here a table that is the sea level scenarios going from the year 2020 out to 2150 in feet. These are the low through high scenarios. And I want to talk through just a couple of the features of this table. So if you click forward one.

So we do break down the report into a number of different time periods. So we have what we call the

near-term time period. So that's the next three decades out to the year 2050. And what we see in the next three decades is that the range between the five scenarios is very low. So, we have about, plus or minus, a few inches from low to high in the year 2050 that we're covering.

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It was skipping ahead there a little bit. I'm still talking about the 2050, the near term.

But -- so we're kind of focused on a very much reduced range of possible sea level rise out to the year 2050. So this is just to say the scientists have much more certainty on what's going to happen over the next three decades.

Then we can kind of collapse things down to a single scenario, which is about one foot of sea level rise by 2050. A little bit less than that. As you go through 2100, that's where the emissions dependence and the possible divergence of the scenarios really starts to come into play.

So in 2100 we have this range between about one foot and about six-and-a-half feet between the low and high scenarios. And like I said, we do provide additional context for these scenarios by identifying what are the most likely scenarios, which is that those values between intermediate-low and intermediate.

We do certainly note in the report that higher

amounts cannot be ruled out beyond this most likely range. So you could start getting up to that five feet to six-and-a-half feet range.

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As we go beyond 2100 the range of sea level rise really does start to expand as uncertainty associated with physical processes including the rapid ice sheet loss start to come into play and you see this dramatic expansion in the amount of sea level rise as you go out.

[SLIDE CHANGE]

DR. BEN HAMLINGTON: So you see about one and a half feet to almost 11 feet across the five scenarios.

I do want to note, so for those of you kind of keeping track and aware of the 2017 report, the extreme sea level rise scenario, H++ scenario that was in the 2017-2018 guidance, it is not gone but you can see that it has been changed. So that dash line and that figure on the right is the H++ scenario from 2020 out to 2150. And you can see that at all times our high scenario is below that H++. The same model and same line of evidence that was used to build or support that H++ scenario in 2018 is being used to support the intermediate-high and high scenarios here. So that same model that was used for rapid ice sheet loss has been updated, and essentially the time that you may possibly reach those very high-end estimates of sea level rise has been pushed further out

into the future.

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DR. BEN HAMLINGTON: Then that last note I had there was that the vertical land motion is the main driver of changes along the coastline of California. So there are certainly more localized differences in these scenarios which are captured within the report.

Then my last note here that -- we also have

Chapter 4. So I really just captured one part of the

issue here, where we know that the foundation of sea level

is rising, but there's all these other processes that sit

on top of that foundation of sea level rise. You have

tides, you have storms, all kinds of things, and a lot of

impacts associated with that.

So Chapter 4 of the report builds off on those numbers I just talked about, and starts to talk a little bit more about the impacts that may occur given the different scenarios of sea level rise. So I'm not covering that in detail here, but just to note that is contained within the report.

And with that I will hand it over to you, Justine.

Thanks.

DR. JUSTINE KIMBALL: Thank you, Ben. And you're very generous that I can answer questions. I can also

pass on questions to Ben on the science that I -- that I cannot field.

Thanks, Ben.

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CHAIR COHEN: Great. Thank you.

I'm going to pivot to the Lieutenant Governor to see if she has -- she has any questions.

EXECUTIVE OFFICER LUCCHESI: Actually -- I'm sorry to interrupt. I think Justine had a presentation as well.

CHAIR COHEN: Oh.

Yeah. Okay.

DR. JUSTINE KIMBALL: Yes.

EXECUTIVE OFFICER LUCCHESI: And so Luke, if we can pull up her PowerPoint. Thank you.

(Thereupon a slide presentation)

DR. JUSTINE KIMBALL: Great. Thanks.

So, yeah, Ben presented the science piece, the update to the sea level rise projections and modeling.

We -- the Ocean Protection Council and Ocean Science Trust convened a science task force that led that portion of the guidance to note that the previous iteration, 2017-2018, the science and the policy pieces were split. So 2017 rising seas report covered all the nitty-gritty methodology details of the modeling and the sea level rise projections, and then the guidance came out in 2018. That

was the policy piece.

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This time around they're packaged together in one report. So I'll be presenting on the policy piece in chapter 3, the application recommendations.

Next slide.

#### [SLIDE CHANGE]

DR. JUSTINE KIMBALL: So similar to the 2018 guidance, we are presenting a stepwise process for understanding how to select sea level rise numbers projections for different use cases. And just to say, you know, Ocean Protection Council is not a regulatory body. We are a policy office. And so our recommendations are pretty high level, with the idea that those implementing regulatory agencies will provide more specified guidance underneath that. We're sort of that larger umbrella.

So this is the six steps of the stepwise process. I'm not going to be going into steps 1 and 2, because they are pretty forward. It's where are you located? Where's the project? You know, identify your nearest high gauge, and then how -- and then step 2 is: What is your time horizon for your project? How long do you hope that this project, this planning effort would persist for?

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#### [SLIDE CHANGE]

DR. JUSTINE KIMBALL: But I will go into a little

bit of detail on steps 3 and 4. This is where some of the recommendations come in.

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Step 3 is -- the recommendation is that for most planning and project applications, it's recommended to evaluate a suite of sea level rise scenarios from intermediate to high scenarios - that's what Ben just presented on - as well as consideration of storm conditions, specifically consideration of the hundred-year storm conditions.

So that is the recommendation on the analysis side of things. That's like the -- that's -- step 4 is conduct a vulnerability assessment. So these are sort of the sea level rise values, levels inputting into a vulnerability assessment as part of that, again, evaluation, analysis phase. And so step 4 is conduct a sea level rise vulnerability assessment. You can use an online tool or a tailor-made approach. And then there's some more specific considerations around, you know, the components of a vulnerability assessment around exposure, impact, sensitivity assessment, and then adaptive capacity component. And then to note we are very much encouraging existing vulnerability assessments to be used as much as possible. We are not expecting that this is like a "reinvent the wheel," like "go back, these are totally different numbers, you're going to have to redo

everything." That is not the intent. As Ben said, you know, it's more of a shifting of the values to different time horizons than like all new numbers or anything like that.

And so we are expecting that most vulnerability assessments can be used as is with an adjustment of when impacts are expected to occur rather than new numbers.

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DR. JUSTINE KIMBALL: And then steps 5 and 6. Step 5 is a new step around exploring adaptation options and feasibility. I feel like the Port of San Francisco study sort of set this one -- teed this one up to some extent in that, you know, it is not like a -- you know, for a given situation, it's not like you have a million different options and you can just choose from any option you want. Like the reality on the ground is that for a given situation, for a different -- for given locations, with given priorities, you know, there's a couple options that you have. And so, you know, assessment of, you know, what realistically are your options and the feasibility of those and the consideration, the constraints and opportunities is Step 5.

And then Step 6 is actually where it sort of comes down to, okay, now you've looked at your adaptation

options like what should you be, you know, thinking about adopting to or planning to. And this is where we take a risk-framing perspective and we say that, similar -- this is same approach as 2018, where you say for low risk averse projects, you know, if you can, you know, use the intermediate scenario sea level rise values, which, as Ben set up, is the high end of the most likely range of 2100. For intermediate-high scenario -- or medium high risk averse situations use the intermediate-high scenarios.

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And then for extreme risk aversion, you know, where there's little-to-no adaptive capacity where, you know, the impacts, the ramifications of exceeding the sea level rise value that you'd planned to are very, very high, you know, plan to that high scenario value.

And then the tables I included there are just a comparison. Because there's been a methodology change, you really can't -- it's not an apples-to-apples -- you know, it's an apples-to-oranges at this point because the methodology changes. But you can compare it to, okay, if you're looking at a risk perspective, you know, how the numbers change. And so you can sort of see like, you know, if -- using the 2018 guidance, if you were looking at, you know, 2100 number, and, you know, critical infrastructure, extreme risk, you would have been, you know, ideally looking at like 10 feet of sea level rise,

now you're looking at, you know, more like 6.6. If you're -- but all the critical infrastructure, typically you'd want it like a 2150 or longer time frame, in which case you'd be looking at 11.9 versus 21.9.

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#### [SLIDE CHANGE]

DR. JUSTINE KIMBALL: And then this is just an example of that sort of real-world application. You know, we tried to build a lot of flexibility in the language in this guidance, and we've received a lot of that feedback on both sides of that, the flex -- flexibility and then also the lack of sort of the prescription. But the idea that, you know, in the real world it's not just about like selecting a sea level rise value and then you just build a project to that like.

So the example here is the Cardiff State Beach
Living Shoreline Project, which is a first of its kind, a
pilot project, an engineered dune structure with natural
components, and many years in the making. And when it
came down to actually finalizing like the design
specifications on the project, it wasn't just like a,
okay, we're going to build to X feet. You know, there
were visual considerations. There's, you know a road
there. There was -- it was a multi-factor process, with
many different stakeholders and viewpoints that came --

that came out with the final design construction for the dune.

And so, oftentimes it's a -- there's a maximum amount of sea level rise that can be accommodated given all the different factors going into the decision. And the question is really: Is that sufficient? Is that protective enough? What are your protective, you know, standards in this region? Is that good enough? Versus like, okay, we're just going to design to X feet. And so, you know, it's -- it's just -- it's hard to build guidance around the real-world process, and we want to acknowledge that's the real-world process.

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DR. JUSTINE KIMBALL: And then just to say that, you know, the State is prioritizing coastal resiliency.

OPC released the lease SB 1 sea-level-rise adaptation grant program in December. We have 71.4 million available to fund sea level rise planning and then projects soon.

And this is part of the overall 660 million that was maintained in the Governor's FY '24-'25 budget. And then as well as ongoing coordination and efforts through the State's Sea Level Collaborative.

Next slide.

[SLIDE CHANGE]

DR. JUSTINE KIMBALL: And then just that we are currently in the public comment period. It closes March 4th. There is a public webinar that has more of the science than was presented here today. The recording is available on our website. We held four regional workshops. We've presented at the Coastal Commission, at BCDC. This is sort of the last stop on our road show actually.

So, yeah, we -- please, you know, get the word out about submitting public comment. And we have already received a lot of feedback and comment, and there's already, you know, revisions that we are thinking about. And we look forward to the feedback here today.

That's it for me.

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CHAIR COHEN: Thank you very much for your presentation.

Let's see. Chair Kounalakis, do you have any questions or comments?

COMMISSIONER KOUNALAKIS: Let me just say this has been quite a day, I think, for looking into the future of the State, both what we're up against in terms of coping with a warming planet and rising sea levels; but also what we're doing about it. And we're just past the visioning stage. And we're now getting into the nuts and bolts of planning. So again this is a daunting thing.

But the expertise that we have at the State level is undaunted and coming up now with some very specific recommendations that are going to allow us to be resilient to protect our communities. And I also really just want to recognize that the focus on nature-based type solutions, ones that are more consistent with trying to cope with the impact of the rising ocean as opposed to just trying to seawall our way out of it I think is really important.

So thank you for all the hard work, and I know there's going to be a lot more to come.

CHAIR COHEN: Okay.

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So just a couple comments. And I actually do have a couple questions.

First of all, thank you again for the presentation. Equitable sea level rise and climate adaptation is based on a really important collection of available science. And this is an important priority for me. And I'm putting on -- you know, I'm coming to the table as the State Controller. And one of the things that is most impactful about this change is how much it's going to cost. How much it could potentially cost, a multi-billion dollar impact on our \$45 billion coastal economy.

And so this is real, as you said, Lieutenant

Governor. And without swift action, sea level rise and the associated flooding impacts will continue -- will devastate California's communities if we don't get serious right now.

I think not only will people be impacted.

Infrastructure will be impacted, wildlife, homes,

businesses, which all culminates into local economies.

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And I want to just note what we saw in the last round of storms in San Diego. You saw poor and working class communities, neighborhoods and homes being completely flooded. And this will have an inequitable impact on those that really have the fewest resources to survive and then potentially to come back and thrive as a result of loss, of water damage.

So I just want to just state that I'm supportive of government agencies and the members of the public to review this report, get their feedback. I think this is a monumental effort that I celebrate. I'm probably one of the -- I'm the newest member coming to the table from a statewide perspective. But have been at the table in my local service to San Francisco.

Couple questions for the presenters. And State, if you guys want to take a stab at it, you can also.

So the Public Trust Lands belong to all of California. So how does, for example, Malibu incorporate

the local community's feedback as well as communities in the San Fernando Valley or in urban parts of Los Angeles, that also -- folks that are also going to the beach? And because those public land trusts -- land -- the Public Trust Lands are just as much theirs, their voice needs to be heard too. So how are we ensuring that those voices are not being squelched by the more wealthier and affluent members of the community?

Dr. Kimball to talk about the Ocean Protection Council's outreach and engagement as this relates to the guidance and all of the other work that they do in terms of how to capture not just those communities that live on the coast and are directly impacted by sea level rise, but also those communities that travel to the coast and enjoy the ocean and the beaches and that sort of thing.

So Dr. Kimball.

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DR. JUSTINE KIMBALL: Yeah, I can address it.

So, you know, it's hard with -- like the sea level rise guidances of that -- of a technical, you know, policy wonky document, I don't know it's the most like public outreach friendly. I would say we're doing more on -- I mentioned the SB 1 grant program that we had recently launched. And as part of that program we are launching a technical assistance program as well in the near future

in -- like in March, although that's aimed at local and regional governments. But it's to -- it's focused on, you know, supporting the actual planning efforts that are using the science. And so I feel like it's that's where the rubber meets the road in terms of like community engagement. And it's like, okay, well, how does this actually look in this community? What does it look like to prepare for X number of sea level rise? And so, that's where we're hoping this planning money comes in to support those efforts.

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We have -- we have developed criteria as part of the SB 1 grant program that requires community visioning, community outreach, you know, very specific language around that in order for a local and regional government to get funding to do that work.

So we see that as built into every step of the process, from just those early visioning, to developing an adaptation plan, to the actual projects that get implemented. The voices of the community need to be there at every step of the way.

We also are spinning up a beach resiliency plan that's focused on the beaches of California and what those look like into the future, the vulnerability of those, and how they -- what -- where it would be like a decision sort of framework for how you can think about different

adaptation options for a given beach with a particular vulnerability, and all the sea level rise science goes into that. And again, we are planning to build in that community piece, and we actually have it as part of -- you know, we're building that into the actual development of the framework, and the plan that would then be applied at the local level.

So that would be my answer for this.

For the actual guidance, though, we are totally open to any suggestions that you might have. But I think it's a bit of a struggle because it's a little bit, you know, up in the policy space and it's really -- you know, when it hits the ground, that there's more interest.

But open to any suggestions.

CHAIR COHEN: Thank you.

I don't have any other questions. I think we can just go ahead and move on, and move on to public comment, unless Seth has something to say.

Okay. Let's go ahead and move to public comment, please.

Michelle.

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PUBLIC LAND MANAGER PELKA: Yes. Our first speaker is Christopher Mouawad.

Christopher, please make your way to the podium and begin your comment.

1 CHAIR COHEN: Great.

2 Hello.

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CHRISTOPHER MOUAWAD: Thank you.

Chair, should I begin?

Thank you.

And thank you to Justine and Ben for your presentation.

And good afternoon, Commissioners.

My name is Christopher Mouawad, and I'm a legislative fellow at the Environmental Action Committee of West Marin. We're EAC. And today I'm commenting on behalf of EAC as well as the Surfrider Foundation. And we greatly appreciate that OPC has -- is embarking on an update of their sea level rise guidance to keep up with evolving sea level rise science and to prepare for our coastal governments for a future challenge by flooding, erosion and groundwater rise.

And we are speaking to you today because you're agency has done some incredibly meaningful work to proactively protect the Public Trust in light of sea level rise. This is most notable in your agency's approval of the shoreline adaptation and the Public Trust protecting California's -- protecting California's Public Trust resources from sea level rise principles which acknowledges that stewarding the Public Trust requires

affirmative duties as the sea level rises.

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Likewise, the Coastal Commission has acknowledged this need through passing those same principles and through interpretation of the Coastal Act related to consideration of seawall approvals and local coastal program updates.

In other words, it is clear that the guidance that OPC has presented today is more than just a scientific document. It is more -- it does more than just explain the science. It reinforces your agency's directives to local governments on how to address sea level rise, and that is what Justine highlighted as a fundamental change and improvement on the 2018 report.

With that in mind, we strongly support OPC's efforts here. And our recommendation for edits to this report center on the fact that, first, it is not clear that the guidance addresses combined impacts of sea level rise and storm surge, which is how sea level rise truly and quite literally chips away other coast.

Second, the guidance should include sunny day flooding.

And third, there should be more of an upfront emphasis on how the guidance should be used to protect public coastal resources, especially public access and enjoyment of those resources for all Californians and not

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just expensive coastal infrastructure.
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And this can be framed and achieved through the guidance, discussion on long-term adaptation planning.

Thank you for your consideration of these comments.

CHAIR COHEN: Great. Thank you very much for taking the time to come and comment.

Ms. Pelka, are there any other public comment?

PUBLIC LAND MANAGER PELKA: We have no hands
raised for comment at this time.

CHAIR COHEN: Okay. Well, thank you very much.

We are going to keep moving on.

Now this -- again, just as a reminder, this is just an informational. No vote is required.

I believe we're going to call Item 87. Is that right?

Okay. Great.

So Item 87 is to discuss legislation and take action on legislation relevant to the California State Lands Commission.

21 May we have the staff presentation? Is that you, 22 Sheri?

Pemberton. Great. Thank you. The floor is yours. Welcome.

(Thereupon a slide presentation).

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Thank you, Madam Chair and Commissioners.

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This is a perfect time for a legislative update because the bill introduction deadline just passed about 10 days ago. And while we're still sifting through all the bills, I just wanted to provide a brief overview and highlight bills and issues we identified as relevant to the Commission or potentially relevant to the Commission this year.

Since this is the second half of a two-year session it'll be a shorter legislative year, with session ending on August 31st; and so everything will be a little bit more compressed than the first year and we'll have relatively new leadership with Speaker Rivas and Pro Tem McGuire.

Legislators introduced about 2100 bills this year, and about a third of those are spot bills.

Amendments to those bills will be due to the Rules

Committee in mid-March.

So there'll be another round of substantive changes that will be assessing in the next month or so.

There are quite a few bills about offshore wind energy, a topic important to the Commission. Most of these are currently spot bills that focus on either implementing recommendations in the AB 525 report or

potentially placing a bond on the ballot to support seaport development for offshore wind energy. We'll be tracking those bills and working with the authors' offices to see how they intend to amend the bills and what that means for the Commission. And more will come on those bills in April.

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Several bills are focused on making progress on the State's 30 by 30 conservation goals, which is another issue very connected to the State Lands Commission and the work we do.

There's also a bill to establish a beaver restoration program in California involving public and private lands, which is really exciting and would provide many benefits to public lands.

We're also looking at bills involving reducing the number of idle and orphan wells, facilitating aquiculture in California, banning octopus farming, reducing plastic pollution, and lithium production at the Salton Sea. And a bill to remove certain parts of San Francisco from the coastal zone.

The list of bills in your staff report for the most part don't include the spot bills or bills that declare legislative intent. So when we report back in April we'll have a fuller picture and know what shape the various spot bills will take; and we anticipate bringing

bills to the Commission at that time for a potential position.

We do have one action item that's part of this agenda item, which is that the Commission take a support position on AJR 12. This is a resolution that would urge Congress to support President Biden's 310 million supplemental funding request for work that will help increase — or improve infrastructure at the border to reduce the sewage and other pollution flowing into California from the Tijuana River estuary.

The resolution would also urge the president to declare a national emergency because of the environmental and public health crisis that's ongoing.

And so staff recommends that the Commission take a support position on that resolution. It also dovetails with our ongoing efforts including the letter that the Commission authorized staff to send last November making the same request.

Thank you.

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CHAIR COHEN: Thank you.

All right. That's pretty straightforward.

Any other additional comments? Any -- I guess it's a little early to start to interpret the tea leaves, huh?

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes,

exactly.

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CHAIR COHEN: Okay. Lieutenant Governor.

COMMISSIONER KOUNALAKIS: So 2,000 -- about 2,000 bills that you sift through every cycle. So, Sheri, just thank you for all of that and for bringing things to our attention, particularly the ones that are going to continue to evolve throughout the rest of the legislative cycle.

And I also want to commend you for pulling out AJR 12 right away. Because for anyone who has not yet been down to the Tijuana River, we really have a health crisis beyond comprehension at our border, and largely the federal government needs to help fix it. It's such a unique problem that getting government agencies to work together to solve such a difficult challenge, it's -- we know it's hard, but we are in a situation now where people's lives are seriously at risk from the pollution happening from that. So thank you for flagging that one.

And I know we're going to have a lot more to sift through over the course of the next few months. So thank you.

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Thank you.

24 CHAIR COHEN: Okay. Thank you very much for the 25 presentation.

Let's go ahead and take public comment on this 1 item. 2 Ms. Pelka. 3 PUBLIC LAND MANAGER PELKA: We have no hands 4 raised for comment at this time. 5 CHAIR COHEN: All right. And seeing that 6 there's none in the ballroom, we can continue to move 7 8 forward. 9 May I have a motion to adopt the staff's recommendation? 10 COMMISSIONER KOUNALAKIS: So moved. 11 CHAIR COHEN: Thank you very much. 12 Is there a second? 1.3 ACTING COMMISSIONER PERRAULT: I can't second. 14 CHAIR COHEN: Okay. I'll second the motion. 15 16 Okay. We'll do a roll call vote. EXECUTIVE OFFICER LUCCHESI: Certainly. 17 Commissioner Kounalakis? 18 COMMISSIONER KOUNALAKIS: Aye. 19 20 EXECUTIVE OFFICER LUCCHESI: Commissioner Perrault? 21 ACTING COMMISSIONER PERRAULT: Abstain. 2.2 23 EXECUTIVE OFFICER LUCCHESI: And Chair Cohen? 24 CHAIR COHEN: Aye. EXECUTIVE OFFICER LUCCHESI: The motion passes 2 25

1 to 0, one abstention.

2 CHAIR COHEN: Great. Thank you very much.

3 Thank you.

4 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Thank

5 you.

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6 CHAIR COHEN: No problem.

Okay. We're going to be moving on to Item --

there's one more?

9 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: The

10 | next item. It's mine as well.

11 CHAIR COHEN: Oh, okay. Item 88.

12 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Same,

13 same here --

14 CHAIR COHEN: I have to do the introduction.

So Item 88 is to consider supporting a Senate

16 Joint Resolution that would urge the President of the

17 United States and the United States Congress to modify

18 | bankruptcy rules, to prioritize plug and abandonment

obligations that would protect the environment over

20 secured creditor claims.

May we have the staff presentation.

22 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.

23 | Thank you, Madam Chair. And I apologize for the

24 confusion.

This item recommends that the Commission adopt a

support position on SJR 12 by Senator Min, which as you noted, would encourage Congress and the President to change bankruptcy law so that an oil and gas operator can't file for bankruptcy as a way to circumvent their well plug and abandonment and decommissioning responsibilities.

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As we've seen in California, with the Rincon and Venoco bankruptcies, when an oil and gas operator files for bankruptcy, the environmental restoration responsibility can shift to the State and taxpayers. This is a hundred percent at odds with the premise of the leases when they were issued, which is that the operators after having installed the oil and gas infrastructure and all that that entails would remove and clean it all up.

In the past several years, almost 260 oil and gas producers filed for bankruptcy across the country, carrying with them about \$175 billion in debt. The California Legislature has appropriated almost \$200 million to the Commission for decommissioning work stemming from the Rincon and Venoco bankruptcies.

Bankruptcy laws were written many, many decades ago and at a time when the prospect of oil and gas companies filing for bankruptcy was unfathomable.

Bankruptcy laws structured to give priority to creditors where possible, and generally only after a trustee takes

over and liquidates assets.

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Debts related to cleaning up the environment are very low on the priority lists. States tend to come last and receive little, if any, compensation, and only after weathering protracted legal and -- expensive legal battles. It's just an all-around loss for the State and taxpayers. And it has become a trend and something we have unfortunately experienced firsthand.

We have no control over bankruptcy laws here in California but federal government does. And so this resolution would urge the federal government to make changes to the bankruptcy law to treat well plug and abandonment and lease restoration obligations as non-dischargeable obligations and to prioritize well plug and abandonment and restoration obligations over secured creditor claims.

The bill's pending a hearing in the Senate

Natural Resources and Water Committee. And we recommend

the Commission support the resolution. I should have said

resolution, not bill.

CHAIR COHEN: No problem. We knew what you meant. Thank you very much.

Let's go ahead, take public comment, Ms. Pelka.

PUBLIC LAND MANAGER PELKA: We have no hands

25 | raised for comment at this time.

CHAIR COHEN: All right. And acknowledging that there is none in the ballroom.

Let me check with my colleagues.

Any comment?

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COMMISSIONER KOUNALAKIS: I do want to say something about this, because what you've just described is essentially a very well known and often exploited loophole in bankruptcy law that allows for oil companies to drill for oil, and when they're done, sell them to shell companies, which then go bankrupt; and then the state is left to deal with the environmental byproduct of former -- former well sites. And so, as you noted, and I think it's worth repeating, is that the Commission has experience with this. State taxpayers have footed the bill to the tune of about \$200 million. When we have watched in slow motion this process of big oil companies with deep pockets selling to single asset companies at the end of the, you know, profitable life of these wells, and then overnight, or in a very short order, those companies go bankrupt and say, well, gee, through the court system we're just prioritized last for the plugging and abandoning.

And so, Sheri, while I absolutely take your point that this is federal law, not state law, the fact that this Commission has experienced and we know that this is a

legal pathway that large companies -- large oil companies use, we certainly can use the tools we have to prepare and to create our own system to be able to contend with anyone who wants to exploit that loophole in the future, because it is within our authority as we protect the Public Trust. And also, because frankly it's just within our experience that we know that this is a process that is -- history shows us is taken by oil companies.

So I think it's certainly important for us to be advocating for changes in bankruptcy laws at the federal level. But in the meantime it's really important that everyone understand that the State Lands Commission was not born yesterday. We know that this is a process that corporations that are looking to maximize return for their shareholder -- shareholders are going to continue to try to exploit, and that we do have the tools while we're waiting and advocating for change in the law at the federal level, we do have the tools to prepare for these eventualities, and we have the obligation to use those tools.

CHAIR COHEN: Thank you.

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON:

Thank you.

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CHAIR COHEN: Thank you for your comment.

All right. We have no other comments at this

time. 1 Let's go ahead and take public comment. 2 Did we take it away? 3 PUBLIC LAND MANAGER PELKA: We did. Great. Let's move on. Let's go for the vote. 5 May I have a motion to adopt the staff's 6 recommendation? 7 8 COMMISSIONER KOUNALAKIS: So moved. 9 CHAIR COHEN: All right. And I'll make the second for that for the record. 10 Please call the roll. 11 EXECUTIVE OFFICER LUCCHESI: Certainly. 12 Commissioner Kounalakis? 1.3 COMMISSIONER KOUNALAKIS: Aye. 14 EXECUTIVE OFFICER LUCCHESI: Commissioner 15 16 Perrault? ACTING COMMISSIONER PERRAULT: Abstain. 17 EXECUTIVE OFFICER LUCCHESI: And Chair Cohen? 18 19 CHAIR COHEN: Aye. EXECUTIVE OFFICER LUCCHESI: The motion passes 2 20 to 0 with one abstention. 21 CHAIR COHEN: Great. Thank you very much. 2.2 23 Thank you again for the presentation. Ms. Lucchesi, what's the next order of business? 24 EXECUTIVE OFFICER LUCCHESI: Our next order of 25

business is our second public comment period.

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CHAIR COHEN: All right. If anyone wants to address the Commission on any matter that is not on today's agenda, please come on up to the podium. Or you can raise your Zoom hand. I will call on those who are here in person first; then we will pivot and move to those joining us virtually.

Michelle, could you please call the first person that would like to make a public comment

PUBLIC LAND MANAGER PELKA: Thank you.

We have no hands raised for comment at this time.

CHAIR COHEN: All right. And also acknowledging that there are none in the ballroom today.

I believe that concludes our second public comment period.

Do any of the commissioners have any comments or questions?

No? Okay.

Ms. Lucchesi, what's the next order of business?

EXECUTIVE OFFICER LUCCHESI: Our next order of business is to move into closed session.

CHAIR COHEN: All right. We'll now adjourn into closed session.

Will the public please clear the room. Thank you very much.

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(Off record: 3:08 p.m.)
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             (Thereupon the meeting recessed
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             into closed session.)
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             (Thereupon the meeting reconvened
             open session.)
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             (On record:
                           3:31 p.m.)
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             CHAIR COHEN: All right. Thank you very much.
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             I'll call this meeting back to order.
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             Ms. Lucchesi, is there anything to report from
    closed session?
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             EXECUTIVE OFFICER LUCCHESI: Yes, we have three
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    things to report.
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             In the matter of the State Lands Commission
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    versus Casa Blanca Beach Estates Owners Association, et
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         During closed session, the Commission authorized the
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    acceptance and recording of a quitclaim deed from the
    Sandyland Protective Association in connection with a
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    quiet title action in Santa Barbara County involving the
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    Casa Blanca property and approve dismissing the Sandyland
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    Protective Association from that litigation.
             Second, in the matter of California State Lands
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    Commission versus Signal Hill Service Incorporated, et al.
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    The Commission considered and agreed in closed session to
    enter into a stipulation in the matter of the California
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State Lands Commission versus Signal Hill service

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Incorporated, et al., to resolve outstanding damages issues and move the case forward.

And finally, in the matter of Eugene Davis in his capacity as liquidating trustee of the Venoco Liquidating Trust versus the State of California and California State Lands Commission. The Commission considered in closed session an offer to settle litigation brought by the liquidating trust. The Commission voted to reject the offer and propose a counteroffer and will transmit that decision to the liquidating trust.

That concludes my report out.

CHAIR COHEN: Great. Thank you very much.

And that concludes the open meeting.

We are adjourned.

(Thereupon the California State Lands

Commission meeting adjourned at 3:32 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, and was thereafter transcribed, 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 10th day of March, 2023.

James & James &

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