

MEETING
STATE OF CALIFORNIA
STATE LANDS COMMISSION

ZOOM PLATFORM
TSAKOPOULOS LIBRARY GALLERIA
828 I STREET
SACRAMENTO, CALIFORNIA

TUESDAY, DECEMBER 17, 2024
1:01 P.M.

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

APPEARANCES

COMMISSION MEMBERS:

Malia Cohen, State Controller, Chair, also represented by Kristina Kunkel

Eleni Kounalakis, Lieutenant Governor, also represented by Matt Dumlao, PhD

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

STAFF:

Jennifer Lucchesi, Executive Officer

Seth Blackmon, Chief Counsel

Raya Nedelcheva, Senior Environmental Scientist, Division of Environmental Science, Planning and Management

Sheri Pemberton, Chief, External Affairs Division

Katie Robinson-Filipp, Senior Environmental Scientist, CASI, Division of Environmental Science, Planning and Management

Chris Scianni, Environmental Program Manager, Division of Environmental Science, Planning and Management

Drew Simpkin, Public Land Manager Specialist, Land Management Division

Ehsan Tajer, Petroleum Reservoir Engineer, Mineral Resources Management Division

ATTORNEY GENERAL:

Sahar Durali, Deputy Attorney General

APPEARANCES CONTINUED

ALSO PRESENT:

Luke Basulto, Mojave National Preserve Conservancy

Eileen Boken, Coalition for San Francisco Neighborhoods

Natalie Brown, Planning and Conservation League

Cory Bullis, Invenergy

Juanita Chavez, Dolores Huerta Foundation

Julia Chunn-Heer, California Coastal Protection Network

Molly Croll, American Clean Power Association

Hugh Cox, Sustainable Claremont

Angela Mooney D'Arcy, Acjachemen Nation, Juaneno Band of Mission Indians

Kim Delfino, Defenders of Wildlife, Audubon California, California Native Plant Society

Neal Desai, National Parks Conservation Association

Julia Dowell, Sierra Club

Levi Duarte, Central Coast Alliance United for a Stable Economy(CAUSE)

Fernando David Marquez Duarte, People's Collective for Environmental Justice

Lorraine Enriquez, Redlands Area Democratic Club

Ron Escobar, Chemehuevi Indian Tribe

Charming Evelyn, Sierra Club CA

Mary Fitzpatrick, Sierra Club

Yoselyn Gomez, Central Coast Alliance United for a Stable Economy(CAUSE), Regenerate California

APPEARANCES CONTINUED

ALSO PRESENT:

Consuelo Hernandez, City of Sacramento

Daniel Hinojosa

Jamal Jackson, Natural Resources Defense Council

Mike Jacob, Pacific Merchant Shipping Association

Dan Jacobsen, Environmental California

Amy Jester, Redwood Region Climate and Community
Resilience Hub

Hans Johnson, East Area Progressive Democrats

Lauri Kamiel, Central Coast Alliance United for a Stable
Economy(CAUSE), Sierra Club

Jennifer Krestan

Adam Leverenz

Alex Mantanona

Samantha McDonald

Francis Molina, Central Coast Alliance United for a Stable
Economy(CAUSE)

John Monsen

Gem Moon Montes, People's Collective for Environmental
Justice

Jacqueline Moore, Pacific Merchant Shipping Association

Odette Moran, Central Coast Alliance United for a Stable
Economy(CAUSE), California Environmental Justice Alliance

Aurora Rugerio

Mary Ann Ruiz, Sierra Club

APPEARANCES CONTINUED

ALSO PRESENT:

Abraham Sanchez

David Sickey

Anahi Solis, Central Coast Alliance United for a Stable
Economy(CAUSE), Regenerate California

Michael Brandon Schroder Spano

Cristhian Tapia-Delgado, Pacific Environment

Juan Torres

Sylvia van Royen, Humboldt Waterkeeper

Tyler Valdes, California Environmental Justice Alliance

Esperanza Vielma, Environmental Justice Coalition for
Water

Vanessa Rivas Villanueva, Earthjustice

Timothy Williams, Fort Mojave Indian Tribe

Laura Zagar, El Paso Natural Gas

Dayane Zuniga

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I Open Session	1
II Public Comment	6
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 October 17, 2024 meeting	26
IV Executive Officer's Report	26
The Executive Officer took the following Delegation of Authority Actions pursuant to the Commission's Delegation of Authority: - BEL WEST, L.P. (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 599 South Eliseo Drive, Greenbrae, Marin County; for an existing boat dock and appurtenant facilities. (Lease 4632) - JOHN WILLIAM STANNARD SR., TRUSTEE OF THE CATHY AND JOHN STANNARD TRUST (LESSEE/ ASSIGNOR); BRADLEY HILEMAN, TRUSTEE OF THE BEACH DRIVE LIVING TRUST (APPLICANT/ ASSIGNEE): Consider assignment of Lease 3905, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3915 Bellevue Avenue, near Homewood, Placer County; for an existing joint-use pier, two boat lifts, and two mooring buoys. (Lease 3905)	

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- MEEKS BAY LAKESIDE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (LESSEE/ASSIGNOR); MEEKS BAY LAKEFRONT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT/ASSIGNEE): Consider assignment of Lease 7353, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8209 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for an existing pier, boat lift, two mooring buoys, and an antenna and conduit. (Lease 7353)
- PACIFIC FRUIT FARMS, A CALIFORNIA CORPORATION (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 13022 State Highway 160, Walnut Grove, Sacramento County; for an existing boat dock and gangway. (Lease 7796)
- TAHOYA SHORES CONDOMINIUM ASSOCIATION (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7610 North Lake Blvd, Tahoe Vista, Placer County; for five existing mooring buoys. (Lease 8560)
- WEST SHORE INVESTORS, L.P., A CALIFORNIA LIMITED PARTNERSHIP (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Lake Tahoe, adjacent to 4860 West Lake Boulevard, near Homewood, Placer County; for two existing mooring buoys. (Lease 8592) Continuation of Rent Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:
- COUNTY OF ORANGE (LESSEE): Continuation of rent for a General Lease - Public Agency Use, located on sovereign land in Anaheim Bay, Seal Beach, Orange County. (PRC 4076)

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- SOUTHERN CALIFORNIA GAS COMPANY (LESSEE):
Continuation of rent for a General Lease -
Right-of-Way Use, located on sovereign land
in the Burton Mesa Ecological Reserve, Santa
Barbara County. (PRC 8720)

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 01-61

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

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Land Management

Northern Region

- 01 3700 TAHOE LLC, A CALIFORNIA LIMITED LIABILITY
COMPANY (APPLICANT): Consider application for a
General Lease - Recreational Use, of sovereign
land located in Lake Tahoe, adjacent to 3700
North Lake Boulevard, Carnelian Bay, Placer
County; for an existing pier and two mooring
buoys. CEQA Consideration: categorical exemption.
(Lease 4312; A4775; RA# 2024036) (A 1; S 1, 4)
(Staff: M. Pelka)
- 02 RAJIT KUMAR AGRAWAL AND REENA MODI AGRAWAL,
TRUSTEE(S) OF THE RAJIT AND REENA AGRAWAL LIVING
TRUST (APPLICANT): Consider application for a
General Lease - Recreational Use, of sovereign
land located in Lake Tahoe, adjacent to 9902 and
9910 Lake Street, near Kings Beach, Placer
County; for two existing mooring buoys, and
installation of two mooring buoys. CEQA
Consideration: categorical exemptions. (Lease
8854; A3408; RA# 2021156) (A 1; S 1, 4) (Staff:
M. McGough)
- 03 CALIFORNIA DEPARTMENT OF WATER RESOURCES
(APPLICANT): Consider application for a General
Lease - Public Agency Use, of sovereign land

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- located in the Sacramento River, adjacent to Assessor's Parcel Number 021-100-008, near Meridian, Sutter County; for installation of a temporary cofferdam to support the Tisdale Weir Rehabilitation and Fish Passage Project. CEQA Consideration: Environmental Impact Report, certified by the Department of Water Resources, State Clearinghouse No. 2019049093, and adoption of a Mitigation Monitoring Program and Statement of Findings. (A4239; RA# 2023067) (A 3; S 6) (Staff: J. Holt)
- 04 CITY OF PETALUMA (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Petaluma River, near First and C Streets, Petaluma, in Sonoma County; for an existing sewer force main with two pipes and one existing storm drainpipe previously authorized by the Commission, and three existing storm drainpipes not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 4112; A3546; RA# 2021259) (A 12; S 3, 2) (Staff: J. Holt)
- 05 COTTONWOOD ESTATES OWNERS ASSOCIATION, INC. (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6550 North Lake Boulevard, near Tahoe Vista, Placer County; for three existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 9048; A3978; RA# 2022228) (A 1; S 1, 4) (Staff: M. Sapunor)
- 06 MURIEL M. HARRIS AS TRUSTEE OF THE MMH REVOCABLE TRUST (LESSEE); FREDERIC T. CLINE & NANCY J. CLINE, TRUSTEES OF THE CLINE FAMILY TRUST, DATED MARCH 5, 1991 AND TIMOTHY HACHMAN & ELIZABETH H. HACHMAN, TRUSTEES OF THE HACHMAN 2003 REVOCABLE TRUST DATED JUNE 18, 2003 AND GREGORY M. HARRIS, TRUSTEE OF THE GREGORY M. HARRIS TRUST UAD DECEMBER 26, 2001 (APPLICANT): Consider termination of Lease Number 6713, a General Lease - Recreational Use; and issuance of a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5046 and 5050

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- West Lake Boulevard, near Homewood, Placer County; for construction and use of a joint-use pier and use of four existing mooring buoys. CEQA Consideration: categorical exemptions. (Lease 6713; A4496; RA# 2023206) (A 1; S 1, 4) (Staff: M. Haflich)
- 07 SCOTT EDMONDSON, MARK EDMONDSON, AND GREGG EDMONDSON, TRUSTEES OF THE EDMONDSON HERITAGE TRUST; KEVIN R. RAY AND LEE E. SEVISON (LESSEE/APPLICANT): Consider amendment of Lease Number 3310, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5390 and 5394 North Lake Boulevard, near Carnelian Bay, Placer County; to include the installation and use of one additional mooring buoy, use of two existing water intake lines not previously authorized by the Commission; and the removal of one open-sided boathouse, boat lift, and one piling. CEQA Consideration: categorical exemptions. (Lease 3310; A4740; RA# 2024017) (A 1; S 1, 4) (Staff: M. Harless)
- 08 JAROTH II, LLC, A DELAWARE LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to Assessor's Parcel Number 117-020-026, Tahoe Vista, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 8105; A4056; RA# 2022282) (A 1; S 1, 4) (Staff: M. McGough)
- 09 LAKE CANYON LIMITED PARTNERSHIP (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7260 North Lake Boulevard, near Tahoe Vista, Placer County; for four existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 7743; A4632; RA# 2023345) (A 1; S 1, 4) (Staff: M. Sapunor)
- 10 LAKE FOREST UNIT #3 PROPERTY OWNERS ASSOCIATION, INCORPORATED (LESSEE/APPLICANT): Consider acceptance of a quitclaim deed and issuance of a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3660

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- North Lake Boulevard, near Tahoe City, Placer County; for use of an existing pier, stairs, and 20 mooring buoys; removal of an existing boat hoist; and installation of three additional mooring buoys. CEQA Consideration: categorical exemptions. (Lease 5685; A4692; RA# 2023337) (A 1; S 1, 4) (Staff: M. Harless)
- 11 LAKESIDE PARK ASSOCIATION, INCORPORATED (APPLICANT): Consider application for a General Lease - Commercial and Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4041 Lakeshore Boulevard, South Lake Tahoe, El Dorado County; for an existing commercial marina known as Lakeside Marina, a beach accretion area, and a breakwater. CEQA Consideration: categorical exemption. (Lease 5883; A4223; RA# 2023171) (A 1; S 1, 4) (Staff: J. Holt)
- 12 NAPA SANITATION DISTRICT (LESSEE/APPLICANT): Consider amendment of a General Lease - Public Agency Use, of sovereign land located in the Napa River, adjacent to Assessor's Parcel Numbers 047-240-024, 047-240-025, and 046-400-015, near Napa, Napa County; to add an existing non-operational sewer force main as an authorized improvement. CEQA Consideration: categorical exemption. (Lease 9074; A3351; RA# 2021127) (A 4; S 3) (Staff: J. Toy)
- 13 EVELYN MARIE NEUMAYR AND DAVID COVENEY COGLIZER, TRUSTEES OF THE EVELYN NEUMAYR & DAVID COGLIZER FAMILY TRUST DATED MARCH 22, 2017 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8811 Winston Way, near Meeks Bay, El Dorado County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8558, A4578; RA# 2024013) (A 1; S 1, 4) (Staff: M. Pelka)
- 14 HELEN E. O'BRIEN, TRUSTEE OF THE HELEN E. O'BRIEN 2000 TRUST DATED MARCH 20, 2000; MICHAEL P. O'BRIEN; AND TIMOTHY T. O'BRIEN (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3037 Jameson Beach Road,

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- South Lake Tahoe, El Dorado County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 4955; A4709; RA# 2023344) (A 1; S 1, 4) (Staff: M. Harless)
- 15 SEAN O'LEARY AND NATASHA L. VOCELKA (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 10215 Garden Highway, near Verona, Sutter County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 7786; A4647; RA# 2024009) (A 3; S 1) (Staff: M. Waldo)
- 16 ROCKY RIDGE PROPERTY OWNERS ASSOCIATION (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 180 Sierra Vista Road, near Tahoe City, Placer County; for the use of an existing pier, boat hoist, 31 mooring buoys, removal of two marker buoys; and installation and use of four additional mooring buoys. CEQA Consideration: categorical exemptions. (Lease 3955; A4009; RA# 2022242) (A 1; S 1, 4) (Staff: M. McGough)
- 17 RICHARD P. ROSS AND JUANA T. ROSS (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2111 Cascade Road, near South Lake Tahoe, El Dorado County; for an existing pier. CEQA Consideration: categorical exemption. (Lease 5576; A4726; RA# 2024006) (A 1; S 1, 4) (Staff: M. Sapunor)
- 18 JOHN WILLIAM STANNARD, SR., TRUSTEE OF THE CATHY AND JOHN STANNARD 2005 TRUST, AS AMENDED AND RESTATED OCTOBER 13, 2010 (LESSEE); BRADLEY HILEMAN, TRUSTEE OF THE BEACH DRIVE LIVING TRUST (APPLICANT): Consider acceptance of a Lease Quitclaim Deed and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3795 Bellevue Avenue, Homewood, Placer County; for two mooring

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- buoys. CEQA Consideration: categorical exemption.
(Lease 6925; A4777; RA# 2024038) (A 1; S 1, 4)
(Staff: M. Sapunor)
- 19 VERONA MARINA, INC., A CALIFORNIA CORPORATION
(LESSEE); SHINGLE SPRINGS BAND OF MIWOK INDIANS
(APPLICANT): Consider termination of Lease Number
PRC 7766, a General Lease - Commercial Use and
application for a General Lease - Commercial Use,
of sovereign land located in the Sacramento
River, adjacent to 6955 Garden Highway, near
Nicolaus, Sutter County; for an existing
commercial marina. CEQA Consideration:
categorical exemption. (Lease 7766; A3061; RA#
2020396) (A 3; S 6) (Staff: J. Holt)
- 20 TAHOE CITY PUBLIC UTILITY DISTRICT (APPLICANT):
Consider application for a General Lease -
Right-of-Way Use, of sovereign land located in
Lake Tahoe, McKinney Shores, adjacent to 5900
West Lake Boulevard, near Homewood, Placer
County; for an existing water intake pipeline,
electrical conduit, and pump. CEQA Consideration:
categorical exemption. (Lease 4222; A3749; RA#
2022036) (A 1; S 1, 4) (Staff: L. Ward)
- 21 TAHOE DONNER ASSOCIATION (APPLICANT): Consider
application for a General Lease - Recreational
and Protective Structure Use, of sovereign land
located in Donner Lake adjacent to 12914 and
12993 Donner Pass Road, Truckee, Nevada County;
for two existing boat docks, boat launch ramp,
swim area, one swim float, three speed marker
buoys, and bank protection. CEQA Consideration:
categorical exemption. (Lease 4909; A3877; RA#
2022234) (A 1; S 4) (Staff: L. Anderson)
- 22 NELLE P. THOMPSON AND GREGG E. THOMPSON, TRUSTEES
OF THE THOMPSON FAMILY REVOCABLE LIVING TRUST
DATED APRIL 17, 1998 (APPLICANT): Consider
application for a General Lease - Recreational
Use, of sovereign land located in Lake Tahoe,
adjacent to 3852 North Lake Boulevard, near
Carnelian Bay, Placer County; for construction
and use of a pier and boat lift; removal of one
buoy; and continued use of one buoy. CEQA
Consideration: categorical exemptions. (A4660;

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RA# 2023342) (A 1; S 1, 4) (Staff: M. Haflich)

- 23 TRUSTEES OF THE LAKE TAHOE PARK ASSOCIATION (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1700 Sequoia Avenue, Tahoe City, Placer County; for 50 existing mooring buoys, two piers, and swim area. CEQA Consideration: categorical exemption. (Lease 3887; A2793; RA# 2021086) (A 1; S 1, 4) (Staff: M. Haflich)

Bay / Delta Region

- 24 JANET V. BROWNLEE, TRUSTEE OF THE BROWNLEE FAMILY TRUST, DATED JULY 30, 2013 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 2847 Garden Highway, Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 6879; A4738; RA# 2024018) (A 6; S 8) (Staff: M. Waldo)
- 25 CENTRAL VALLEY FLOOD PROTECTION BOARD (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located adjacent to the right bank of the American River from River Mile 7.45 to 7.65 at the Howe Avenue Bridge, in the American River, near Sacramento, Sacramento County; for construction and use of erosion protection. CEQA Consideration: Environmental Impact Report (EIR) and Supplemental EIR, certified by the Central Valley Flood Protection Board, State Clearinghouse Number 2005072046, and adoption of a Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (A3065; RA# 2020398) (A 7; S 6) (Staff: J. Toy)
- 26 CENTRAL VALLEY FLOOD PROTECTION BOARD (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located along the Sacramento River east levee

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- between Front Street and the Pocket-Greenhaven neighborhood, from River Mile (RM) 49 to 59, in the Sacramento River, near Sacramento, Sacramento County; for construction and use of erosion protection. CEQA Consideration: Environmental Impact Report (EIR) and Supplemental EIR, certified by the Central Valley Flood Protection Board, State Clearinghouse Numbers 2005072046 and 2022040317, respectively, and adoption of a Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (A3623; RA# 2021324) (A 7; S 6) (Staff: J. Toy)
- 27 CHEMTRADE WEST US LLC (LESSEE): Consider a revision of rent and bond for Lease Number PRC 4410, a General Lease - Industrial Use, of sovereign land in Suisun Bay, adjacent to 501 Nichols Road, near Bay Point, Contra Costa County; for an effluent discharge pipeline. CEQA Consideration: not a project. (PRC 4410) (A 15; S 7) (Staff: V. Caldwell)
- 28 CITY OF MILPITAS (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in Coyote Creek, adjacent to Santa Clara County Assessor's Parcel Number 022-30-049, Milpitas, Santa Clara County; for an existing wastewater pipeline. CEQA Consideration: categorical exemption. (Lease 4772; A3543; RA# 2021278) (A 26; S 10) (Staff: J. Plovnick)
- 29 GOLDEN GATE BRIDGE, HIGHWAY, AND TRANSPORTATION DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located along the south bank of Corte Madera Creek, adjacent to Lots 29 through 81 at Greenbrae Boardwalk, and the Larkspur Ferry Terminal, near Greenbrae, Marin County; for an existing rock riprap revetment. CEQA Consideration: categorical exemption. (Lease 7187; A3661; RA# 2022106) (A 12; S 2) (Staff: G. Asimakopoulos)
- 30 CHARLES W. HERNANDEZ, TRUSTEE OF THE CHARLES W. HERNANDEZ AND NANCY A. HERNANDEZ REVOCABLE TRUST,

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- DATED APRIL 11, 2001 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Steamboat Slough, adjacent to 3428 Snug Harbor Drive, on Ryer Island, near Walnut Grove, Solano County; for an existing boat dock with boat lift, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 9169; A4649; RA# 2023299) (A 11; S 3) (Staff: L. Ward)
- 31 PIIKOI KAWANANAKOA (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Calaveras River, adjacent to 2767 Calariva Drive, Stockton, San Joaquin County; for an existing boathouse, boat dock, and gangway. CEQA Consideration: categorical exemption. (Lease 7793; A4536; RA# 2024008) (A 13; S 5) (Staff: M. McGough)
- 32 KOKET RESORT, LLC (LESSEE): Consider revision of rent and bond to Lease Number PRC 2049, a General Lease - Commercial Use, of sovereign land located in the Sacramento River, adjacent to 14174 Isleton Road, near Walnut Grove, Sacramento County; for a commercial marina. CEQA Consideration: not a project. (PRC 2049) (A 9; S 3) (Staff: V. Caldwell)
- 33 JOHN J. CORCORAN, III, TRUSTEE OF THE JOHN J. CORCORAN, III FAMILY TRUST (TRUST A) CREATED DECEMBER 16, 2012 UDT DATED JUNE 15, 2004 (LESSEE); TONYA KUHL AND RICHARD SCHUMAN (APPLICANT): Consider termination of Lease 6884, a General Lease - Recreational and Protective Structure Use; waiver of rent, penalty and interest; void invoice numbers 53031, 55772 and 58573; and application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 7651 Garden Highway, Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 6884; A4215; RA# 2023024) (A 6; S 8) (Staff: L. Anderson)

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- 34 LEVEL 3 TELECOM OF CALIFORNIA, LP (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in the Stanislaus River, near Riverbank, in Stanislaus and San Joaquin Counties; the Mokelumne River, near Lodi, in San Joaquin County; and the Cosumnes River, near Wilton, in Sacramento County; for an existing buried steel casing containing six conduit ducts with fiber optic cable within one of the ducts. CEQA Consideration: categorical exemption. (Lease 8044; A4299; RA# 2023059) (A 9; S 4, 5, 6) (Staff: J. Holt)
- 35 LINDA J. MOMSEN, AS TRUSTEE OF THE LINDA J. MOMSEN SURVIVOR TRUST (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Steamboat Slough, adjacent to 3450 Snug Harbor Drive, Walnut Grove, Solano County; for an existing deck, boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 9179; A4780; RA# 2024044) (A 11; S 3) (Staff: M. Sapunor)
- 36 GRAHAM OWEN AND KACIE OWEN (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Sacramento River, adjacent to 4251 Garden Highway, Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 4947; A4310; RA# 2023116) (A 6; S 8) (Staff: M. Haflich)
- 37 PACIFIC GAS AND ELECTRIC COMPANY (LESSEE/APPLICANT): Consider amendment of Lease Number 6827 and issuance of a General Lease - Right-of-Way Use, of sovereign land in the Sacramento River, adjacent to Assessor's Parcel Numbers 158-0080-008 (Sacramento County) and 0090-180-280 (Solano County), near Sherman Island, Sacramento and Solano Counties; for the relocation and use of an existing overhead transmission line. CEQA Consideration:

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- categorical exemptions. (Lease 6827; A2825; RA# 2020073) (A 11; S 3) (Staff: M. Schroeder)
- 38 RICHARD ALAN RETHFORD AND BAMBI-LYNN RETHFORD, TRUSTEES OF THE RETHFORD FAMILY TRUST (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 2399 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease 9126; A4374; RA# 2023213) (A 6; S 8) (Staff: L. Ward)
- 39 KHALID SADDIQUE (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 6411 Garden Highway, Sacramento, Sacramento County; for a proposed boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (A4466; RA# 2023182) (A 6; S 8) (Staff: M. Waldo)
- 40 SAN RAFAEL ROCK QUARRY (APPLICANT): Consider application for a General Lease - Industrial Use, of sovereign land in San Pablo Bay at the San Rafael Rock Quarry Wharf, near San Rafael, Marin County; for maintenance dredging; and for an existing off-loading pier with appurtenant facilities and artificial fill/bank protection not previously authorized by the Commission. CEQA Consideration: categorical exemptions. (Lease 8797; A3023; RA# 2020397) (A 12; S 2) (Staff: M. Schroeder)
- 41 TDB SACRAMENTO DELTA CORPORATION (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Georgiana Slough, adjacent to 16853 Terminous Road, near Isleton, Sacramento County; for an existing covered boat dock, uncovered boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (Lease

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7680; A4077; RA# 2022281) (A 9; S 3) (Staff: M. Waldo)

Central / Southern Region

- 42 LINEAR BANNASCH (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign land located in the Pacific Ocean, adjacent to 523-525 Pacific Avenue, Solana Beach, San Diego County; for an existing seacave/notch fill. CEQA Consideration: categorical exemption. (Lease 7128; A4691; RA# 2023333) (A 77; S 38) (Staff: K. Connor)
- 43 BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT (LESSEE): Consider amendment to Lease Number PRC 9364, a General Lease - Beach Replenishment and Protective Structure Use, of sovereign land located in the Pacific Ocean at Broad Beach, Malibu, Los Angeles County; to extend the lease term and the grace period for project completion. CEQA Consideration: not a project. (PRC 9364; RA# 2021119) (A 42; S 24) (Staff: D. Simpkin)
- 44 CALIFORNIA DEPARTMENT OF PARKS AND RECREATION (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Pacific Ocean, adjacent to Emma Wood State Beach, Ventura County; for use of an existing rock revetment and sheet pile wall, and repair of an existing rock revetment. CEQA Consideration: categorical exemption. (A4573; RA# 2023273) (A 38; S 19) (Staff: J. Plovnick)
- 45 CITY OF FIREBAUGH (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the San Joaquin River, adjacent to Fresno County Assessor's Parcel Number 008-020-07T and Madera County Assessor's Parcel Number 008-020-08T, Firebaugh, Fresno County; for an existing roadway bridge and rock slope protection. CEQA Consideration: categorical exemption. (Lease 8107; A4626; RA# 2023287) (A 27; S 14) (Staff: J. Plovnick)
- 46 MARINE BIOENERGY, INC. (APPLICANT): Consider application for a General Lease - Other, of sovereign land located in the Pacific Ocean,

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- offshore of Howland's Landing, Santa Catalina Island, Los Angeles County; for reinstallation and monitoring of a kelp elevator. CEQA Consideration: categorical exemption. (Lease 9400; A4745; RA# 2024030) (A 69; S 24) (Staff: J. Plovnick)
- 47 SOUTHERN CALIFORNIA EDISON COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land, located within a portion of Sections 23 and 26, Township 16 South, Range 36 East, MDM, near Owens Lake, Inyo County; for an existing overhead transmission line and access road not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A3812; RA# 2022162) (A 8; S 4) (Staff: D. Romero)
- 48 SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE): Consider revision of rent to Lease Number PRC 6704, a General Lease - Right-of-Way Use, of sovereign land located in the Kern River, adjacent to Assessor's Parcel Number 093-190-46, near Bakersfield, Kern County; for an overhead transmission line. CEQA Consideration: not a project. (PRC 6704) (A 32; S 12) (Staff: V. Caldwell)
- 49 THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, SAN DIEGO / SCRIPPS INSTITUTION OF OCEANOGRAPHY (APPLICANT): Consider application for a Non-Exclusive Geological Survey Permit on sovereign land near Goleta Slough, Santa Barbara County and near Batiquitos Lagoon, Santa Margarita River, and San Dieguito Lagoon, San Diego County. CEQA Consideration: categorical exemption. (A4760; RA# 2024032) (A 37, 74, 77; S 19, 38, 39) (Staff: M. Pelka)
- 50 THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, SAN DIEGO / SCRIPPS INSTITUTION OF OCEANOGRAPHY (APPLICANT): Consider application for a General Offshore Geophysical Survey Permit, on sovereign lands from the mean high tide line to 3 miles offshore. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, State Clearinghouse No. 2013072021.

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(Permit 9094; A4689; RA# 2024003) (A & S:
Statewide) (Staff: M. Pelka)

School Lands

- 51 BROADWING COMMUNICATIONS, LLC, A DELAWARE LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State-owned school land and indemnity school land in portions of Section 16, Township 8 North, Range 17 East; Tract 39 of Sections 29 and 32, Township 12 North, Range 20 East; and Section 36, Township 10 North, Range 19 East, SBM, near Homer, Goffs, and Essex, San Bernardino County; for an underground fiber optic communications cable encased in a conduit. CEQA Consideration: categorical exemption. (Lease 8047; A4300; RA# 2023060) (A 34; S 12) (Staff: D. Romero)
- 52 GEYSERS POWER COMPANY, LLC (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State school land located in the Geysers Area, along Pine Flat Road in a portion of Section 33, Township 11 North, Range 8 West, MDM, near Middletown, Sonoma County; for portions of an existing unpaved road. CEQA Consideration: categorical exemption. (Lease 8090; A4605; RA# 2023278) (A 4; S 2) (Staff: L. Anderson)
- 53 PACIFIC BELL TELEPHONE COMPANY, DOING BUSINESS AS AT&T CALIFORNIA (AT&T) (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State indemnity school lands within a portion of Section 16, Township 34 North, Range 4 West, MDM, near O'Brien Mountain in the Shasta National Forest, Shasta County; for an existing aerial communication cable and wood poles. CEQA Consideration: categorical exemption. (Lease 4829; A3973; RA# 2022224) (A 1; S 1) (Staff: L. Ward)
- 54 PACIFIC GAS AND ELECTRIC COMPANY (LESSEE): Consider revision of rent and bond to Lease Number PRC 7526, a General Lease - Right-of-Way Use, of school land located in portions of Sections 26 and 27, Township 9 North, Range 2 East, SBM, near the unincorporated community of

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- Newberry Springs, San Bernardino County; for a gas transmission line, blow-off line, and communication line. CEQA Consideration: not a project. (PRC 7526) (A 34; S 19) (Staff: V. Caldwell)
- 55 SOCIETY FOR THE CONSERVATION OF BIGHORN SHEEP (LESSEE): Consider revision of rent to Lease Number PRC 4910, a General Lease - Other, of school land located in a portion of Section 16, Township 2 South, Range 18 East, SBM, in the Granite Mountains, near Blythe, Riverside County; for two existing rainwater catchment basin systems. CEQA Consideration: not a project. (PRC 4910) (A 36; S 18) (Staff: V. Caldwell)
- 56 SOUTHERN CALIFORNIA EDISON COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State-owned school land, within a portion of Section 36, Township 18 South, Range 36 East, near Cartago, Inyo County; for an existing overhead transmission line and access roads not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A3813; RA# 2022163) (A 8; S 4) (Staff: D. Romero)
- 57 WINDHUB SOLAR B, LLC (LESSEE): Consider amendment of Lease Number 9726, a General Lease - Industrial Use, of State indemnity school land in Section 28, Township 11 North, Range 13 West, SBM, west of Mojave, Kern County; for a solar energy facility and preservation of a Joshua Tree grove. CEQA Consideration: not a project. (Lease 9726; RA# 2024057) (A 32; S 12) (Staff: D. Simpkin)

Administration

- No items for this section.

External Affairs

Granted Lands

- No items for this section.

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Kapiloff Land Bank Trust Acquisition/Expenditure

- No items for this section.

Legal

- 58 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider taking title to and authorizing the removal and disposal of the Vaquero II located on sovereign lands in Sandmound Slough, near Bethel Island, Contra Costa County. CEQA Consideration: statutory exemption. (A 11; S 7) (Staff: A. Kershen, V. Caldwell, J. Bryant)
- 59 JOHN MCCUBBIN; U.S. FISH AND WILDLIFE SERVICE; SONOMA COUNTY SHERIFF'S OFFICE; CALIFORNIA STATE LANDS COMMISSION (PARTIES): Consider taking title to and authorizing the removal and disposal of the sailboat Perseverance on a navigable waterway owned by the United States, Sears Point Wetlands Restoration Area, San Pablo Bay National Wildlife Refuge, Sonoma County. CEQA Consideration: categorical exemptions. (A 12; S 2, 3) (W 27250) (Staff: A. Kershen, V. Caldwell, J. Bryant)

Marine Environmental Protection

- See Regular Calendar.

Mineral Resources Management

- 60 CALIFORNIA STATE LANDS COMMISSION: Consider approval of qualifying miles for Fiscal Year 2024-2025 subventions to the cities of Huntington Beach and Seal Beach, located in Orange County; and to the City of Long Beach, located in Los Angeles County. CEQA Consideration: not a project. (W 4848.1, W 4848.4, W 4848.8) (A 70, 72, 74; S 33, 34, 37) (Staff: N. Heda; A. Clark)
- 61 CALIFORNIA STATE LANDS COMMISSION: Authorize an extension to a Commission approved 3-year moratorium for accepting and considering mineral prospecting permit and lease applications relating to approximately 480 acres of State-owned, 100 percent reserved mineral interest school land (State Parcel Number 049-514; Assessor's Parcel Number 009-140-007),

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- located within the Southwest 1/4 and the East 1/2 of Section 16, Township 5 North, Range 27 East, Mount Diablo Baseline and Meridian, about 15 miles northeast of the town of Bridgeport and 5 miles north of Bodie State Historic Park, Mono County. CEQA Consideration: not a project. (W 27254) (A 8; S 4) (Staff: V. Perez)
- VI Informational Calendar 62
- 62 NOTICE OF CONFERENCE WITH REAL PROPERTY NEGOTIATOR: Instructions to staff negotiators in Closed Session, pursuant to Government Code section 11126(c)(7), regarding applications for assignment of four leases governing the use of existing offshore oil and gas pipelines traversing state waters associated with the Santa Ynez Unit in federal waters, the Ellwood Pier, and two mooring buoys, offshore Santa Barbara County. Negotiating Parties: State Lands Commission, ExxonMobil, and Sable Offshore Corp. Under negotiation: price and terms. CEQA Consideration: not a project. (Lease Nos. PRC 4977, PRC 7163, PRC 5515, and PRC 6371) (A 37; S 19) (Staff: D. Simpkin, J. Lucchesi)
- VII Regular Calendar 63-68
- 63 CALIFORNIA STATE LANDS COMMISSION: Consider supporting the Border Water Quality Restoration and Protection Act of 2024 by Representatives Scott Peters and Juan Vargas and Senator Alex Padilla to combat the Tijuana River transboundary sewage pollution crisis. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton) 107
- 64 CALIFORNIA STATE LANDS COMMISSION: Authorize staff to send the recommended letter to the federal Administration requesting enhanced prioritization and federal support to fully address the ongoing transboundary pollution crisis in the Tijuana River Valley. CEQA Consideration: not applicable. (A 80; S 18) (Staff: K. Robinson-Filipp, B. Johnson) 111

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- 65 CALIFORNIA STATE LANDS COMMISSION: Consider approval of the legislative report titled "2025 Biennial Report on the California Marine Invasive Species Program." CEQA Consideration: not a project. (A & S: Statewide) (Staff: R. Nedelcheva, C. Scianni) 85
- 66 CALIFORNIA STATE LANDS COMMISSION: Consider approval of the Cost Study, developed pursuant to AB 2257 (Boerner Horvath, Chapter 692, Statutes of 2022), which requires the Commission to develop a cost study that evaluates the fiscal impact of a voluntary relinquishment of any lease interests in active offshore oil and gas production leases in state waters and provide a final report to the Governor and the Legislature by December 31, 2024. CEQA Consideration: not a project. (W 41006) (A & S: Statewide) (Staff: S. Meshkati, E. Tajer) 97
- 67 EL PASO NATURAL GAS COMPANY, LLC (LESSEE); EL PASO NATURAL GAS COMPANY, LLC AND CADIZ REAL ESTATE, LLC: Consider termination of Lease Number 7527, a General Lease - Right-of-Way Use and authorization for a General Lease - Right-of-Way Use, of State indemnity school land in Sections 26 and 27, Township 9 North, Range 2 East, SBM, southeast of Barstow, San Bernardino County; for maintenance of an existing idle oil pipeline in a caretaker status. CEQA Consideration: categorical exemption. (Lease 7527) (A 34; S 12) (Staff: D. Simpkin) 43
- 68 PORT OF LONG BEACH, HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT AND THE CALIFORNIA STATE LANDS COMMISSION (PARTIES): Consider authorizing the Executive Officer or her designee to enter into a Memorandum of Understanding with the Port of Long Beach and the Humboldt Bay Harbor, Recreation, and Conservation District to coordinate and collaborate regarding floating offshore wind turbine staging and integration port facilities to enable the development of floating offshore wind in California. CEQA Consideration: not a project.

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(G 04-03, G 05-03) (A 2, 69; S 2, 33) (Staff: S. Pemberton, J. Lucchesi, A. Vierra)	115
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X Closed Session	138

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.
 - California State Lands Commission v. Salt River Construction Corporation; Rick Moseley; et al.
 - Candlestick Heights Community Alliance v. City and County of San Francisco, et al.

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- 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
- DCOR, LLC V. California State Lands
Commission, et al.
- Dezirae Cadena, et al. v. City of Parker Dam,
et al.
- Eugene Davis v. State of California and
California State Lands Commission
- In re: Signal Hill Service, Inc, Bankruptcy
Chapter 7
- In re: Temblor Petroleum Company, LLC,
Bankruptcy Chapter 11
- In re: Venoco, LLC, Bankruptcy Chapter 11
- Martins Beach 1, LLC and Martins Beach 2,
LLC v. Effie Turnbull-Sanders, et al.
- Morrow Bay Commercial Fisherman's Association,
et al. v. California State Lands Commission,
et al.
- Oakland Bulk and Oversized Terminal, LLC v.
City of Oakland
- 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.

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- 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.
 - 1. Instructions to staff negotiators in Closed Session, pursuant to Government Code section 11126(c)(7), regarding applications for assignment of four leases governing the use of existing offshore oil and gas pipelines traversing

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state waters associated with the Santa Ynez Unit in federal waters, the Ellwood Pier, and two mooring buoys, offshore Santa Barbara County. Negotiating Parties: State Lands Commission, ExxonMobil, and Sable Offshore Corp. Under negotiation: price and terms.

C. Other matters

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

Report out of Closed Session	139
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PROCEEDINGS

CHAIR COHEN: Good afternoon, ladies and gentlemen. Are you guys ready to get started?

All right. This is our last meeting of the year. It is Tuesday, December 17th, exactly one minute after one o'clock. I call meeting this to order.

Oh, sorry, did I scare you?

(Laughter).

CHAIR COHEN: I'm so sorry. I'm so sorry about that. Okay.

Well, I call this meeting to order. (Whispering).

(Laughter).

CHAIR COHEN: All representatives of the Commission are present. My name is Malia Cohen. I'm your State Controller. I'm joined in person today by our Lieutenant Governor, Eleni Kounalakis. And I also want to recognize Commissioner Michelle Perrault who is representing the Department of Finance.

All right, Ms. Lucchesi -- Ms. Lucchesi, we have --

EXECUTIVE OFFICER LUCCHESI: Madam Chair, we have a quorum present. In addition, I would like to identify the members of the staff of the Commission participating virtually for this hybrid meeting. We have our Zoom co-host Mike Farinha on the line and our meeting liaison,

1 Kim Lunetta.

2 Back to you, Chair.

3 CHAIR COHEN: All right. Thank you very much.

4 For the benefit of those in the audience, the
5 State Lands Commission manages State property interests in
6 over five million acres of land, including mineral
7 interests. The Commission also has responsibility for the
8 prevention of oil spills at marine oil terminals and
9 offshore oil platforms and islands and for preventing the
10 introduction of marine invasive species to California's
11 marine waters.

12 Today, we are going to hear requests and
13 presentations involving the lands and resources within the
14 Commission's jurisdiction. I want to take a moment to
15 acknowledge and express gratitude to the Nisenan, Wintun,
16 Miwok and Maidu people, who have inhabited the Sacramento
17 River corridor, the valley as well as the foothills for
18 countless generations.

19 I also want to take a moment and honor the
20 California Native American communities all across the
21 State for persisting, carrying on diverse cultural and
22 linguistic traditions, and sustainably managing the land
23 that we now share. Native people have maintained a
24 consistent presence on the landscape for many thousands of
25 years and they are essential steward -- stewardship

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

7 The next item of business will be public comment.
8 Now, before I open up public comment period for items that
9 are not on the agenda, let's lay down the rules. I want
10 to first thank everyone for attending, especially our
11 stakeholders, as well as the members of the public. It is
12 important that you engage with us.

13 Now, I want to turn it over to Ms. Lucchesi who
14 is going to briefly share some introductions on the best
15 way to engage for our public comment and our meeting.

16 EXECUTIVE OFFICER LUCCHESI: Thank you, Madam
17 Chair. We will take public comment for a maximum of 30
18 minutes due to the extent of our meeting agenda. In
19 addition, we will only allow one minute per speaker for
20 public comment. We do have a second public comment period
21 at the end of our meeting for those who don't get called
22 on during our first comment period.

23 We will take those members of the public who are
24 here in person first and then hear comments from those
25 members of the public who are participating virtually. If

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

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

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

1 registered with or the last three digits of their
2 identifying phone number.

3 After you are called on, you will be unmuted, so
4 that you can share your comments. Please also remember to
5 unmute your computer or phone and identify yourself. You
6 will have a limit of one minute to speak on an item.
7 Please keep your comments respectful and focused. We will
8 mute anyone who fails to follow these guidelines or, at
9 worst, dismiss them from the meeting.

10 I also want to remind everyone that we have two
11 general public comment opportunities, one at the beginning
12 of the meeting and one at the end of the meeting. So if
13 anyone is having logistical or technical difficulties,
14 please know that you have another opportunity to provide
15 your comments at the end of our meeting.

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

25 Chair Cohen, that concludes my hybrid meeting

1 instructions and we are ready to move on to the general
2 public comment period.

3 CHAIR COHEN: Thank you, sir. Just for procedure
4 today, we are going to have public comment be in the
5 amount of one minute.

6 EXECUTIVE OFFICER LUCCHESI: Yes. We'll --
7 maximum 30 minutes total to receive all public comments in
8 our first public comment period. And each individual
9 speaker will have one minute to share their perspectives.

10 CHAIR COHEN: All right. Thank you.

11 All right, folks. Well, our next order of
12 business is the public comment period. If anyone wants to
13 address the Commission on any matter not on today's
14 agenda, staff will call on those who are here in person
15 first. Next, we will move on to those joining us
16 virtually.

17 Katie, please call the roll on the first person
18 who would like to make a public comment.

19 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

20 Thank you, Madam Chair. For our first public
21 speaker, we have Consuelo Hernandez.

22 CHAIR COHEN: Could you turn on the mic, please,
23 Ms. Hernandez

24 CONSUELO HERNANDEZ: All right. My name is
25 Consuelo Hernandez. I'm the Director of Governmental

1 Affairs for the City of Sacramento and I'm here today to
2 discuss the city's lease with State Lands Commission for
3 the area in the Old Sacramento waterfront. The City has
4 had this lease since 1986 for the area in the waterfront
5 from the floodwall to the docks. Per the lease, the City
6 must obtain approval from SLC for subleases for businesses
7 within the boundaries of the lease premises. And any new
8 user requires approval of a sublease, after it's approved
9 by our own City Council.

10 The reason we're here today is, as you may have
11 read, the Rio City Cafe recently closed and we are in the
12 process of finding a new tenant and evaluating any repairs
13 or modifications to the building. The building is
14 currently vacant and the City cannot, under the terms of
15 the lease, put a temporary tenant in the building. We've
16 been working with city staff who are great and are trying
17 to explore ways to expedite the leasing process or
18 permitting short-term agreement outside of the standard
19 process. We are preparing to make substantial investments
20 in the waterfront. Thank you very much.

21 CHAIR COHEN: Thank you very much. Just as a
22 reminder, you can always submit your comments in writing
23 to us.

24 All right, Katie, next speaker.

25 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

1 Thank you. For our next speaker, we'll have
2 Frances Molina to be interpreted by Odette Moran.

3 FRANCIS MOLINA(through interpreter): Good
4 afternoon. My name is Francis Molina. I'm a resident of
5 Port Hueneme and I'm here with CAUSE and CEJA.

6 I have very little time here in South Oxnard Port
7 Hueneme area, but I have it very clear that the air that
8 we're breathing, myself and my family, is not air that is
9 good for our health. My community is predominantly
10 immigrant and a worker community. A lot of our families
11 are of low economic status and we have a lot more
12 contamination, worse than 94 percent in other communities
13 in the State. And we deserve to breathe clean air. We
14 shouldn't be sacrificed to stay for a lot of these
15 operations. That is why I'm here to ask you to please
16 reject Lease 4196 for Ormond Beach. The decision is in
17 your hands.

18 Thank you.

19 CHAIR COHEN: Thank you. Please call the next
20 speaker.

21 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

22 Thank you. And now we'll have Odette providing
23 their comments.

24 ODETTE MORAN: Thank you. Good afternoon. My
25 name is Odette, and I am a Port Hueneme resident and have

1 lived in Oxnard for most of my life. And I am here today
2 with CAUSE and Regenerate with CEJA. And I'm here to ask
3 you to please reject Lease 4196 for Ormond Beach
4 Generating Station. And to please come to Oxnard with
5 your -- to make your decision with a completed
6 environmental justice analysis. We here in our area live
7 in what a lot of folks call a toxic soup, a mix of many
8 industries that cut our life short. And there's a lot of
9 us who have a lot to say in terms of the industries that
10 live here nearby, and who could not make it here today, as
11 there's finals and work during this time. And so here to
12 really reinforce and to please ask to come and have your
13 decision-making meeting in Oxnard with a completed
14 environmental justice analysis. And we really need to
15 prioritize our community's health. And with that means is
16 rejecting the lease.

17 Thank you.

18 CHAIR COHEN: Thank you very much for your public
19 comment.

20 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

21 Thank you. For our next speaker, we have Aurora
22 Rugerio, followed by Alex Mantanona.

23 AURORA RUGERIO: Good afternoon, Commissioners.
24 My name is Aurora. I am an Oxnard resident and I'm here
25 on behalf of CAUSE and their Regenerate coalition urging

1 you to reject the lease amendment of Lease 4196 for the
2 Ormond Beach Generating Station asking the Commission to
3 honor their Environmental Justice Policy conduct a full
4 environmental justice analysis before considering any
5 lease amendments, and to hold the -- a decision-making
6 meeting for this lease in the City of Oxnard.

7 CAUSE and Regenerate met with the State Lands
8 Commission staff over a month ago and have not received
9 additional information on the environmental justice
10 analysis progress or an updated timeline for negotiations.

11 This lease is set to expire in four months. It
12 is imperative that the community is given an up-to-date
13 information and is intentionally reached out to give their
14 input. Again, it is critical that you reject the lease
15 amendment, Lease 4196, conduct a full environmental
16 justice analysis, and hold the decision-making meeting in
17 Oxnard. Our communities already suffers from poor air
18 quality due to crammed industry taking over our coast.
19 The decision is on your hands.

20 Thank you.

21 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

22 Now, I have Alex Mantanona followed by Julia
23 Dowell.

24 ALEX MANTANONA: Yes. Good afternoon,
25 Commissioners. My name is Alex Mantanona. I'm a resident

1 of Oxnard, California, and I'm here today on behalf of my
2 fellow citizens and the Regenerate California Commission,
3 using my expertise as a chemist with a Doctorate from UC
4 San Diego to advocate for the health of our community.

5 Today, I'm urging you to reject the lease
6 amendment 4196, to extend the lease term for the Ormond
7 Beach Generating Station. It's -- in my expert opinion, a
8 full environmental justice analysis needs to be performed.
9 As outlined by your policy and the decision-making process
10 for this lease should be held in the City of Oxnard as
11 it's going to impact our community directly.

12 The justification for this lease extension was to
13 shore up the grid during the heat waves with increased
14 energy demand. Unfortunately, these power plants severely
15 underperformed their expected output during the heat waves
16 of 2022 and 2023 and they placed the environmental burden
17 on our community. During those heat waves, the nitrous
18 oxide and sulfur oxide chemicals, which cause pollution,
19 smog, and respiratory issues, increased their emissions by
20 66 percent with an increased amount of CO2 as well. So
21 with this, I ask you -- and thank you for your time.

22 CHAIR COHEN: Thank you. Next speaker.

23 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

24 Our next speaker is Julia Dowell. And then Tyler
25 Valdes, if you're online, please raise your hand so we can

1 identify you. Thank you.

2 JULIA DOWELL: Good afternoon. My name is Julia
3 Dowell. I'm here today on behalf Sierra Club and the
4 Regenerate California coalition. I am urging you to
5 reject the lease amendment extending the lease term for
6 Lease 4196 for seawater intake and discharge conduits at
7 the Ormond Beach Generating Station. We are asking the
8 Commission to honor their goal of conducting a full
9 environmental justice analysis before considering any
10 lease amendments as outlined in your environmental justice
11 policy, and please hold decision-making meetings for this
12 lease amendment in the City of Oxnard where residents can
13 attend.

14 Families and individuals living by these
15 unreliable polluting gas plants have a right to clean air
16 and healthy lungs and shouldn't be continued -- continued
17 to be sacrificed. We conducted a study that showed that
18 gas plants like Ormond Beach severely underperformed
19 during the heat wave. And again, just in conclusion, I
20 want you to reject the lease amendment for Lease 4196.

21 CHAIR COHEN: Thank you for your comment. Next
22 speaker, please.

23 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
24 Our next speaker is Anahi Solis followed by
25 Lovey.

1 ANAHI SOLIS: Good afternoon, Commissioners. My
2 name is Anahi Solis. I am a resident of Oxnard,
3 California. I'm here on today -- today on behalf of CAUSE
4 and Regenerate.

5 I'm urging you to reject the lease amendment
6 extending the lease term of Lease 4196, asking the
7 Commission to honor their goal of conducting a full
8 environmental justice analysis and hold the
9 decision-making meeting for this lease in the City of
10 Oxnard. I have spent the majority of my life in Port
11 Hueneme, and my parents have operated their business in
12 Port Hueneme for almost 30 years. However, my family
13 living in Port Hueneme is not a reason for us to be
14 exposed to and constantly surrounded by polluted air. My
15 family and the families of Port Hueneme and Oxnard have a
16 right to clean air and healthy lungs, and they shouldn't
17 continue to be sacrificed to dirty industry.

18 Again, it is critical that you reject the Lease
19 4196 and conduct a full environmental justice analysis and
20 hold the decision-making meeting in Oxnard, because my
21 family and the rest of our community will not sit by as we
22 are contaminated by pollutants from a power plant that is
23 unreliable and contributes to pollution.

24 Thank you.

25 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

1 Our next speaker is Levi followed by Dayane
2 Zuniga.

3 LEVI DUARTE: Good afternoon. My name is Levi
4 Duarte. And I am a resident of Oxnard, and I'm here today
5 on behalf of CAUSE and CEJA.

6 I am urging you to reject the lease amendment of
7 Lease 4196 at the Ormond Beach Generating Station and
8 asking you, the Commission, to honor your goal of
9 conducting a full environmental justice analysis before
10 considering any lease amendments and to hold the lease
11 decision-making meeting in the City of Oxnard. The
12 Commission claims to be a leader in the fight against
13 climate change, and transitioning away from fossil fuel to
14 clean energy. However, reapproving Lease 4196 and
15 enabling fossil fuel operation contradicts this claim.

16 Rather than extending Lease 4196, the Commission
17 should reject the amendment for Lease 4196, conduct a full
18 environmental justice analysis and hold the
19 decision-making meeting in Oxnard, because the Ormond
20 Beach Generating Station burdened Oxnard residents. I am
21 here today because I am out of school and finished finals.
22 Everyone impacted should have the opportunity to engage in
23 this decision with you.

24 Thank you.

25 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

1 Thank you. Our next speaker is Dayane Zuniga
2 followed by Yoselyn Gomez.

3 DAYANE ZUNIGA: Hello. Hello. Good afternoon.
4 Hello. Good afternoon. My name is --

5 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
6 Hello. We can hear you. Thank you.

7 DAYANE ZUNIGA: Oh, so sorry. Wanted to confirm
8 that. Good afternoon, Commissioners. My name is Dayane
9 Zuniga and I'm a proud resident of the beautiful South
10 Oxnard. I'm speaking on behalf of my community, CAUSE and
11 the Regenerate California coalition. For decades South
12 Oxnard has been treated as a dumping ground for
13 pollution -- polluting industries that would be -- never
14 be allowed in wealthier whiter communities. We breathe in
15 emissions from the Ormond Beach Generation Station, the
16 diesel trucks from the Port of Hueneme, and the ammonia
17 from the cardboard factory, all concentrated in our
18 backyards.

19 You promised that the Ormond Beach gas station
20 would be down in 2020, then you told us that it would be
21 done in 2023, and now, you're saying 2026. You claim to
22 be committed to the environmental justice. Well, here is
23 your chance to prove it. Reject the lease amendment 4196,
24 the expansion of the Ormond Beach gas station, conduct a
25 full environmental justice analysis that you promised us,

1 and hold the decision-making meeting here in Oxnard, so
2 that the people that are most impacted can show up and
3 hold you accountable. This is -- thank you for your time.

4 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

5 Thank you. Our next speaker is Yoselyn Gomez
6 followed by Mary Fitzpatrick.

7 YOSELYN GOMEZ: Hello. My name is Yoselyn Gomez.
8 I am a resident of the Oxnard area and I'm here on behalf
9 of CAUSE to talk about -- to ask you to reject the Lease
10 4196 on the Ormond Beach Generating Station. I've been
11 working in this environmental justice community for a long
12 time and I know that a big part of the pollutants in
13 Oxnard is caused by the power plant here. So I ask you
14 not to make a decision without conducting a full
15 Environmental Impact Report. And I ask you to make your
16 final decision on the lease renewal in Oxnard, so that our
17 community can voice our concerns and let you know how we
18 feel about something so impactful to us.

19 Thank you.

20 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

21 Thank you. Our next speaker is Mary Fitzpatrick.

22 Ms. Fitzpatrick, you should be promoted to
23 panelist and should be able to unmute yourself.

24 MARY FITZPATRICK: Thank you very much. Good
25 afternoon, everyone. My name is Mary Fitzpatrick. I'm a

1 resident of San Rafael, and I'm here today as a Sierra
2 Club volunteer.

3 Regarding the Ormond Beach Generating Station, I
4 urge you to reject Lease 4196, conduct a full EJ analysis
5 report before making a decision and hold the
6 decision-making meeting in Oxnard to provide the community
7 with the opportunity to comment on the conduit's lease.
8 I'm speaking to you about this topic today, because I care
9 about equal justice for all Californians and about
10 wildlife habitat protection. The community located near
11 the Ormond Beach Generating Station is predominantly
12 people of color, who are exposed to the worst pollution in
13 the state, worse than 94 percent of other Californians.
14 And for years, this -- thank you.

15 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

16 Thank you. Our next speaker is Samantha McDonald
17 And if we have a Marbely Cruz in attendance, please raise
18 your hand so we can identify you. Thank you.

19 SAMANTHA McDONALD: Hi. Can you hear me?

20 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

21 Yes, we can hear you. Thank you.

22 SAMANTHA McDONALD: Awesome. Hi. My name is
23 Samantha McDonald. Thanks for listening to me today. I'm
24 not from Oxnard, but I wish I was. I'm actually a
25 liveaboard in the Newport Beach mooring field community.

1 I wanted to come on to say thank you to the SLC so much
2 for all the hard work that you're doing to investigate the
3 City of Newport and determine the lawfulness of Newport's
4 behavior towards the mooring permittees. As the
5 investigation begins to wrap up, I want to emphasize the
6 point many have already made in previous meetings. We did
7 not choose this mooring permit system. Newport Beach did.
8 We accepted this system, because it was the only option we
9 had. And once we were in, the city tried to rip the sheet
10 from under us. Of course, we're all eager to know the
11 results of the investigation and prepare ourselves for
12 what comes next, but we also understand that this is going
13 to take time. This is an investigation spanning decades
14 of information. It's a lot of work, so we all really
15 appreciate the time that you've invested.

16 Thank you.

17 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

18 Thank you.

19 Our next speaker is Adam Leverenz.

20 ADAM LEVERENZ: Good afternoon. Can you hear me?

21 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

22 Yes, we can hear you.

23 ADAM LEVERENZ: Okay. Thank you so much. I had
24 submitted some slides, which I will forego given the
25 one-minute time limit, due to the public input today. I

1 had thought perhaps I could save staff some reading time,
2 but I will go ahead and submit some written materials.
3 And what these will involve is I'm asking if the in-person
4 presentation I gave before the Commission in Imperial
5 Beach at the last regular meeting, along with what I will
6 submit, evidence, discrimination and/or a breach of
7 fiduciary duties relating to the City of Newport Beach's
8 management of granted sovereign lands.

9 When docks and moorings permitted to those of
10 higher socioeconomic standing, property owners, yacht club
11 members, et cetera, on a square foot basis pay much less
12 than those of us who can't afford to own property here or
13 be members of yacht clubs, to me, this looks
14 discriminatory and problematic. And I hope that you all
15 will agree. Thank you so much.

16 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

17 Thank you.

18 Our next speaker is Anne Marie Stenton followed
19 by Jennifer Krestan.

20 Anne Marie Stenton, if you're online, please
21 raise your hand so that we can identify yourself.

22 We'll move on to Jennifer Krestan. Jennifer,
23 you've been promoted to panelist. If you can please
24 unmute yourself.

25 JENNIFER KRESTAN: I'm unmuted.

1 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

2 We can hear you. Thank you.

3 JENNIFER KRESTAN: Hi. Thank you. I'm Jennifer
4 Krestan, and I'm a mooring holder in Newport Beach. And I
5 just want to thank Executive Officer Lucchesi and the
6 staff for their interest and considerable efforts
7 regarding equitable use of California's tidelands. I, and
8 many other mooring holders, are very appreciative of the
9 staff's experience and professionalism.

10 The only negative issue is that Executive Officer
11 Lucchesi, and I have the same first name, so frequently
12 people I'm meeting with will say things like Jennifer
13 really understands the issues. Jennifer is very
14 responsive. Jennifer is so professional, et cetera. And
15 then for a second, I think they're talking about me and
16 then I realize they're not. So, it's kind of a downer,
17 but I'm also very -- regardless of how I feel about it,
18 it's still refreshing and inspiring to hear members had of
19 the public have positive comments about a public official.

20 Happy Holidays and thanks again for everything
21 you do.

22 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

23 Thank you.

24 Our next speaker is Michael Brandon Shroder Spano
25 followed by Eileen Boken. Michael, you should be promoted

1 as a panelist, so you should be able to unmute yourself.

2 MICHAEL BRANDON: Okay. Sorry for the delay.
3 That took a little while to be promoted. Hello, staff,
4 Commissioners, esteemed Controller Cohen, and Lieutenant
5 General Kounalakis. My name is Michael Spano or Michael
6 Brandon. And I'm a live-aboard sailor and a holder of a
7 mooring permit in Newport Beach Harbor. I would like to
8 express my gratitude for this Commission and the current
9 investigation into the City of Newport Beach's
10 discrimination of tideland users.

11 Oh, can you guys hear me?

12 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

13 Yes, we can hear you. Thank you.

14 MICHAEL BRANDON: It's only you that can't hear
15 me. Sorry. I have someone that's listening that said
16 they couldn't hear me.

17 All right, into the investigation of Newport
18 Beach's discrimination a tideland users. You've given me
19 hope that the government acts on behalf of its citizens
20 and that the voice of the people may be heard. On behalf
21 of myself and many other sailors in Newport Beach that
22 have been discriminated against for decades, I solemnly
23 thank you for the work that you have done and for the work
24 that is yet to come regarding our cause. That is all.

25 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

1 Thank you. Our next speaker is Eileen Boken
2 followed by Julia Chunn-Heer.

3 EILEEN BOKEN: Eileen Boken, Coalition for San
4 Francisco Neighborhoods speaking on my own behalf. At the
5 Ocean Protection Council meeting on December 9th and at
6 the Coastal Commission meeting on December 12th, the
7 following is an excerpt of my comments.

8 I would strongly urge the Ocean Protection
9 Council to advocate before the Joint Legislative Audit
10 Committee to instruct the State Auditor to conduct an
11 audit during the upcoming session as it relates to permits
12 and grants issued by the Coastal Commission and the
13 Coastal Conservancy for the City and County of San
14 Francisco as it relate -- and its related agencies and
15 departments.

16 For the State Lands Commission, strongly urging
17 that the audit request come directly from the State Lands
18 Commission to the Department of Finance, rather than
19 through the Joint Legislative Audit Committee.

20 Thank you.

21 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

22 Thank you.

23 Our next speaker is Julia Chunn-Heer followed by
24 Lauri Kamiel.

25 JULIA CHUNN-HEER: Good afternoon, Commissioners.

1 My name is Julia Chunn-Heer and I'm representing the
2 California Coastal Protection Network. The California
3 Coastal Protection Network is a unique strategic advocacy
4 organization dedicated to protecting California's greatest
5 natural asset, our magnificent 1,100 mile coastline for
6 all generations.

7 CCPN supports the development of responsible
8 offshore wind to reduce greenhouse gases when projects are
9 designed, planned and sited to avoid negative impacts to
10 marine life, coastal resources, and coastal communities,
11 especially those of Native American tribes and
12 environmental justice communities that have already borne
13 disproportionate burdens from past pollution and
14 industrial development. This new industrial use of the
15 coast must be implemented responsibly with conservation
16 priorities guiding the way. We look forward to hearing
17 updates on the establishment of an interagency
18 coordination model for floating offshore wind in the new
19 year. Thank you for your time and attention.

20 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

21 Thank you.

22 Our next speaker is Lauri Kamiel.

23 LAURI KAMIEL: Good afternoon to the State Lands
24 Commission. Thank you for allowing me to speak. I am a
25 resident of Ventura County and I am here on behalf of

1 CAUSE and the Sierra Club in regards to 4196, the Ormond
2 Beach gas station. And you have heard some really
3 compelling arguments thus far about the environmental
4 reasons, the pop -- the low-income population that lives
5 around the area.

6 But I also want to bring to your attention and
7 the reason that this is personal to me, my partner is an
8 engineer at the Point Mugu Naval Base. The Ormond Beach
9 station is literally in between two naval bases. You
10 already have Point Mugu to the south and Port Hueneme to
11 the north. Our service men deserve clean air. And having
12 an operating fossil fuel gas station in between the Naval
13 bases just seems really a not great way to thank our
14 service men for all their years of service.

15 Thank you.

16 EXECUTIVE OFFICER LUCCHESI: Madam Chair, we are
17 at 30 minutes. I recommend we take one more virtual
18 person that we missed earlier and then we do have one more
19 commenter here in person and then we can trail the rest
20 for the end of the meeting.

21 CHAIR COHEN: Sounds good.

22 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

23 We had Tyler Valdes. I believe he might have
24 just dropped off again from the attendee list. So perhaps
25 we can move to the in-person who is -- the name?

1 MIKE JACOB: There you go. Mike Jacob, Pacific
2 Merchant Shipping Association. Good afternoon.

3 I just wanted to come in person to say thank you
4 to Jennifer for all of your work with the Commission over
5 the years. We represent ocean carriers, marine terminal
6 operators that are really integral to the work that the
7 Commission does. And we appreciate the representation
8 that the Commission staff and the Commissioners have shown
9 over the years to be invested in our port system to really
10 make sure that the State is acting in its full and
11 expansive capacity in making sure that granted lands
12 are -- and trustees are working diligently with us as
13 tenants but also with the entirety of the state and the
14 apparatus.

15 For those of who don't know, I've been working
16 with the association for 20 years. When I started,
17 Jennifer was already integral to that process. And when
18 Paul Thayer was Executive Officer, he said go work with
19 Jennifer. And when Curtis was Executive Officer, we dealt
20 with Jennifer. And when Jennifer was Executive Officer,
21 she didn't have anyone to tell us to work with and we were
22 stuck with her the whole time. She was amazing.

23 So I just really wanted to come and say thank you
24 in person for all of your work. We really, really
25 appreciate it.

1 Thank you, Commissioners. Thank you for your
2 time.

3 (Applause).

4 CHAIR COHEN: All right. Thank you very much.
5 All right. Thank you to our public commenters, both those
6 that were online and in person. We will have plenty of
7 opportunity on our agenda to lavish Jennifer Lucchesi with
8 respect and love.

9 But in the meantime, I have to approve the
10 minutes. So the next item of business will be the
11 adoption of minutes from the Commission's meeting dated
12 October 17th, 2024. May I have a motion to approve the
13 minutes?

14 COMMISSIONER KOUNALAKIS: So moved.

15 CHAIR COHEN: Motion made by Lieutenant Governor.

16 ACTING COMMISSIONER PERRAULT: Second.

17 CHAIR COHEN: Second by Commissioner Perrault.

18 May we have a motion?

19 Oh, actually, there are no objections. We can --
20 we can take that item unanimously. Thank you.

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

23 Ms. Lucchesi, I believe this might be one of your
24 -- this is your last report?

25 EXECUTIVE OFFICER LUCCHESI: It is my last

1 report, yes.

2 CHAIR COHEN: All right. Make it a --

3 EXECUTIVE OFFICER LUCCHESI: Well, I -- thank
4 you, Madam Chair. I'd like to actually use this time to
5 acknowledge a very important retirement of our team, our
6 Assistant Officer Colin Connor will be retiring at the end
7 of the year. He's right there. Raise your hand.

8 (Laughter).

9 EXECUTIVE OFFICER LUCCHESI: So -- and I -- just
10 in terms of the substance of my Executive Officer's
11 report, I encourage everybody to read the report online,
12 but first and foremost want to acknowledge Colin.

13 So I had the honor of working with Colin since he
14 started at the Commission just a couple years after I
15 started, in the early 2000s. And like my journey, he
16 started in the Land Management Division and quickly worked
17 his way up through the management chain. And it was a
18 great honor for me to hire him as my Assistant Executive
19 Officer a couple after I was appointed in 2012. I think
20 it's -- was a no-brainer to hire Colin, because of his
21 experience, his expertise, and his leadership skills and
22 talents. He had a really great rapport with all of his
23 staff, and really knew the Commission's business inside
24 and out.

25 But I think what became -- why we became one of

1 the most effective and most fulfilling leadership
2 partnerships that I've ever experienced was because even
3 though we had different ways of thinking, different ways
4 of viewing the world, different ways of working, we shared
5 very important fundamental values around public service
6 and working for the people of California, and integrity
7 and transparency, and just straight up grit and hard work.

8 And I am so blessed and grateful to have been
9 able to lead the Commission alongside Colin. And his
10 service to the public is seen throughout California from
11 open space and property that we acquired in Lake Tahoe to
12 some of our most important major port and urban water
13 front redevelopment projects, to ensuring we have an
14 incredible leadership team at the State Lands Commission
15 that we have built since he came on board as my Assistant
16 Executive Officer. And so the legacy that he leaves is
17 not only something that we can see every day in California
18 with his contributions to the Commission's work, but in
19 the people that we have cultivated and worked with through
20 many, many decades at the State Lands Commission. And it
21 is truly an honor to have that time with him. And
22 California is a much better place because of his work.

23 And so, if everybody could join me in a round of
24 applause thanking him for his service.

25 (Applause).

1 EXECUTIVE OFFICER LUCCHESI: There is no one who
2 is more devoted and committed to serving the people
3 California than Colin is in State service. And I'm very
4 proud. So thank you, Colin, for your years of service.

5 CHAIR COHEN: Okay. Is there anything else?

6 EXECUTIVE OFFICER LUCCHESI: That's it.

7 CHAIR COHEN: Oh, okay.

8 (Laughter).

9 CHAIR COHEN: Thank you.

10 COMMISSIONER KOUNALAKIS: I think we're going to
11 be talking about somebody else today.

12 (Laughter).

13 ASSISTANT EXECUTIVE OFFICER KATO: So I'm going
14 to try to get through this without crying.

15 COMMISSIONER KOUNALAKIS: Grace, before you do,
16 could we just maybe say a few words about Colin first --

17 ASSISTANT EXECUTIVE OFFICER KATO: Yes, please.

18 COMMISSIONER KOUNALAKIS: -- and then we can --
19 then we can launch into the conversation about Jennifer.

20 But, you know, as you were speaking, it's so
21 important to remind the public that there are real people
22 who work here at the State Lands Commission, real people
23 who work in government, who devote their lives to the
24 service of the people. And sometimes as elected
25 officials, you know, we're in the -- we're the most

1 visible. But whether you're elected or whether you join
2 government to serve, it's the same. You take an oath of
3 office to protect and defend the Constitution, to serve
4 the people of the State as best you can. And when you
5 have the best, and the brightest, and the most
6 knowledgeable experts at every level coming into service,
7 that is what makes our democracy work.

8 And I just think we are at a time where every
9 opportunity we can take to recognize the incredibly
10 valuable service of those who do the work of the people of
11 the State of California day in and day out is really
12 important. And so, we're going to talk about you,
13 Jennifer, here in a moment, but Colin was your partner --
14 your thought partner and problem-solving partner in so
15 many of the challenges that come before this body that
16 seem intractable. And yet, the two of you helped to sort
17 it all out and bring to this body for our consideration
18 possible solutions to some of the most challenging issues,
19 all in the name of serving the Public Trust Doctrine as we
20 are tasked to do here at State Lands.

21 So thank you, Colin. You're not up in front of
22 the TV cameras as often as Jennifer, but we know what your
23 service has meant. And let's just say that we're in for
24 quite a transition, but we really truly wish you the best
25 in your retirement. Someone once said retired, but not

1 tired. You don't appear to me to be at all tired --

2 (Laughter).

3 COMMISSIONER KOUNALAKIS: -- so I wish you a
4 wonderful retirement, but also hope that you will continue
5 to find ways in your -- in your retirement to continue to
6 weigh in and to contribute to the State.

7 Thank you.

8 CHAIR COHEN: All right. Colin, I just want to
9 say congratulations on this new Chapter of your life. I'm
10 very excited for you. It's always -- it's always exciting
11 to see people who have dedicated their life to public
12 service go on to do other great things so...

13 ASSISTANT EXECUTIVE OFFICER CONOR: I appreciate
14 that.

15 CHAIR COHEN: My pleasure as well.

16 ACTING COMMISSIONER PERRAULT: I'll just go ahead
17 and -- I'll keep it brief, but I'll also just echo my
18 fellow Commissioners' comments. You know, as an
19 individual that has been in government a long time and
20 aspire to get to the moment of retirement, where maybe I'm
21 also not tired --

22 (Laughter).

23 ACTING COMMISSIONER PERRAULT: -- but it's to be
24 commended. And we do appreciate and we do see the work
25 that I think happens behind the scenes. We know a lot

1 happens before it gets to us at this table. And so,
2 greatly appreciate it and congratulations as well.

3 CHAIR COHEN: Would you like to say a few
4 remarks?

5 ASSISTANT EXECUTIVE OFFICER CONNOR: I stayed
6 back here for a purpose.

7 (Laughter).

8 CHAIR COHEN: Okay. Fair enough?

9 EXECUTIVE OFFICER LUCCHESI: If it -- if it is
10 okay with the Commission, maybe when Grace is done, we can
11 come up for a picture with you three.

12 CHAIR COHEN: Sure.

13 Okay, Grace, what's on your mind?

14 (Laughter).

15 ASSISTANT EXECUTIVE OFFICER KATO: Okay. I am
16 not nearly as eloquent as Jennifer is, and I'm going to do
17 my best to get through this without crying, so -- because
18 nobody wants to see that.

19 I struggled to find the words and actually the
20 right amount of time to say everything I want to say about
21 Jennifer. We actually started at the Commission together
22 on the same day, shared an office. And I knew from the
23 very beginning she was destined for great things and you
24 have all been a witness to that. I have referred to her
25 as "Wonder Woman" for 25 years. She has done it all, been

1 through everything. She is able to work on things at such
2 a high level, but still keep things very personal. She is
3 able to retain information that is said in passing and
4 have it fully be a part of the narrative. So many things
5 that she is able to do, and -- but most importantly
6 maintain heart and compassion in all of the work that she
7 does.

8 She actually said to me this morning, she's like,
9 "I am environmentalist, right?"

10 (Laughter).

11 ASSISTANT EXECUTIVE OFFICER KATO: And I'm like,
12 "Yeah, Jen, you're great." But she is amazing in terms of
13 being able to really listen to all of the parties that are
14 involved and still keep true to the heart of what this
15 Commission is all about, and that is protecting the
16 public's resources on behalf of the State of California.

17 So Jennifer leaves an indelible mark on everyone
18 she meets, whether it's over a course of 25 years or just
19 a single meeting, as you can hear from the many speakers
20 who would probably want to speak if we opened up this item
21 for them. We have a limited amount of time. And so, just
22 want to say the Commission will be forever imprinted by
23 the work that you have done. It's always easier to be the
24 one that is doing the breaking up, which is what the whole
25 plan was. But, here I am being left at the alter.

1 (Laughter).

2 ASSISTANT EXECUTIVE OFFICER KATO: In true
3 Jennifer fashion, she has really created the scaffolding
4 to leave the Commission in good hands and create an
5 amazing environment, where the work that she has held so
6 dear will continue on. So Jen, we know you will continue
7 to be a hallmark of the strength and compassion that we
8 can bring to public service and continue to be an example
9 of how things can be done in government.

10 As you transition to the Department of
11 Conservation, I just want to thank you for everything that
12 you've done for us, the Commission, and the State of
13 California. Most importantly just being you, because that
14 is what you bring your honesty to all of the work that you
15 do. I have been and will be and continue to be in awe of
16 you. And I am honored to call you my friend and hope that
17 we can continue that on.

18 I just want to say that we were lucky to have you
19 at the helm for as long as we did. And I'm wishing that
20 Conservation is ready for you.

21 (Laughter).

22 ASSISTANT EXECUTIVE OFFICER KATO: Thank you very
23 much, Commissioners.

24 (Applause).

25 COMMISSIONER KOUNALAKIS: Are you going to read

1 the declaration?

2 CHAIR COHEN: The resolution, yes, but I thought
3 you might want to --

4 COMMISSIONER KOUNALAKIS: Comment first.

5 CHAIR COHEN: Yes.

6 COMMISSIONER KOUNALAKIS: All right. Comment
7 before the reading of the resolution. As you were
8 speaking, Grace, I was reminded of my days of diplomacy.
9 There was a story that was often told about when Benjamin
10 Franklin stepped down as ambassador to France, our first
11 ambassador, and Thomas Jefferson took over. And the
12 Foreign Minister said to Thomas Jefferson something about
13 how we was happy to see him as a replacement. And
14 Jefferson said, "Sir, no one can replace Benjamin
15 Franklin. I am merely his successor."

16 And when I think about you, Grace, and I think
17 we'll get to that in a few minutes, you're -- certainly
18 for next few months, I think of all of us in some ways
19 having to pick up the pieces to succeed the work that you
20 do, Jennifer, because you have not just created a standard
21 and a practice of problem solving and leadership, but you
22 have brought your staff along the way to teach them and
23 train them on how to approach problem solving and
24 implementation of our policies, a whole -- a whole
25 Commission staff full of people who have learned from you.

1 But I will say, I have learned from you too. And
2 in the six years that I've had the pleasure of serving as
3 a Commissioner, I feel, in some ways, though we will never
4 be able to replace you and your approach and unique
5 ability to navigate really challenging things. You have
6 left behind in all of us enough knowledge and training,
7 such that we will be able to succeed your work. What an
8 incredible privilege to have been able to work with you,
9 and learn from you, and partner with you on the
10 stewardship of the millions of acres of land under the
11 purview of the State Lands Commission.

12 You have a spine of steel and you have a heart
13 which is so fully committed to the interests of every last
14 person in the state, whether it's a kid who's never seen
15 the ocean before and making sure that that kid, like any
16 other kid, has access to go visit a beach or whether it's
17 the challenges of dealing with, you know, offshore
18 drilling, and wind, and boats abandoned in the Delta, and
19 all of the other difficult things that come before you.

20 In your years of tenure, we have adopted policies
21 that include environmental justice, include putting the
22 impact to native communities at the center of everything
23 we do, the list goes on and on. And you leave us in a
24 place where we should be able to keep going. But let me
25 just say that in your next position, we have no doubt that

1 you will continue to serve the State so well. But if you
2 ever want to come back --

3 (Laughter).

4 COMMISSIONER KOUNALAKIS: No. Truly, we wish you
5 all the best and with just great gratitude for your
6 service here and to the people of the State of California.

7 Thank you.

8 CHAIR COHEN: Thank you.

9 (Applause).

10 CHAIR COHEN: Jennifer, I wanted to also offer
11 some remarks. I just, in my short time of knowing you,
12 wanted to just reflect on your enthusiasm and the level of
13 excitement that you have in tackling some very serious
14 challenges. I love your creative thought process and
15 response -- responses to pressing environmental issues. I
16 love that your leadership style is collaborative and
17 inclusive.

18 And I am excited about your next chapter. And
19 it's almost like you're graduating, graduating up, but I'm
20 grateful that you spent some time here. You've been
21 seasoned well by the public comment, by engaging with
22 stakeholders, by never forgetting our family in the Native
23 American community. You've just always been a thought
24 leader, and I'm excited about what this next chapter is.
25 And that fierceness I want you to never lose it. Keep

1 that spine fortified with titanium, because oftentimes
2 dilemmas come and I know you will bend but you will never
3 break. So go with the full blessing and know that you
4 will be missed. Yes.

5 (Applause).

6 ACTING COMMISSIONER PERRAULT: Jennifer, I know
7 you and I didn't have very long to work together. And
8 that actually -- that's the part I think that saddens me
9 the most. You know, I would just like to say this is
10 obviously well deserved. This position is well deserved
11 and I have no doubt that you will be amazingly successful
12 at it. I just want to echo the -- some of the comments
13 from earlier, particularly from the Lieutenant Governor
14 about the fact that, you know, I think while us here at
15 the table will definitely mourn you at the helm, we have
16 no doubt that because of the good work you did not just on
17 the public-facing side, but internally with your staff,
18 that we are in good hands. And I think it's your -- I
19 know your team is the -- is who's going to miss you
20 absolutely the most. But I just again want to echo an
21 appreciation. This is well deserved.

22 And I think that, you know, you have always --
23 you know, I call you at all times and go, "Okay, I kind of
24 have a silly question." And you never once have, you
25 know, stopped to go, "Well, gosh, you should probably know

1 this." You've just been very, very patient in laying out
2 issues that, again to my Commissioner's point, are very
3 complex, and very sensitive, and have high impact on
4 people. And your sensitivity and approach to not just
5 explaining it, but to really providing a deep
6 understanding of how these decisions that we make will
7 impact all that they touch should be commended. So we
8 will definitely miss you. I know that we are -- I know
9 we're in good hands with your staff, but you will be
10 missed. Your approach will be missed, but I know you will
11 do amazing things in your next chapter, so thank you for
12 all you've done.

13 CHAIR COHEN: Thank you.

14 (Applause).

15 CHAIR COHEN: And we have a small parting gift
16 for you. Grace, why don't -- do you want to read it from
17 where your vantage point is? Would you like me to read
18 it?

19 EXECUTIVE OFFICER LUCCHESI: In the interests of
20 time, it might take too long to read --

21 CHAIR COHEN: Okay.

22 EXECUTIVE OFFICER LUCCHESI: -- through
23 everything and including Colin's resolution too.

24 Can I make a suggestion?

25 CHAIR COHEN: Sure.

1 EXECUTIVE OFFICER LUCCHESI: Maybe Colin and I,
2 just because I want to drag him up here to take a picture
3 with our resolutions, and -- yeah, we can do that. And as
4 Colin is making his way up --

5 (Laughter).

6 EXECUTIVE OFFICER LUCCHESI: -- I only get to
7 tell him what to do for another couple of hours. I just
8 want to express my gratitude for the extremely kind words
9 that have been said today by everyone. I can tell you it
10 makes me very uncomfortable. And so I'm having a hard
11 time finding the words. It's very emotional. The -- I
12 know for a fact that the grass is not greener anywhere
13 else. The greenest grass is here at the State Lands
14 Commission, because of the people, because of the
15 leadership, because of the work that we get to do and the
16 communities that we get to impact. And it's something
17 that I am forever grateful to have my 25 -- first 25 years
18 of my career here at the State Lands Commission and
19 there's so many people to thank along the way. As all of
20 us know, you don't get to the next spot in your career, in
21 your life without the help, and support, and mentorship of
22 everyone you come into contact with, whether it's for a
23 minute, or a year, or 25 years, and so I'm just -- words
24 cannot express how grateful I am, so thank you.

25 CHAIR COHEN: Thank you.

1 (Applause).

2 (Thereupon pictures were taken).

3 CHAIR COHEN: All right.

4 EXECUTIVE OFFICER LUCCHESI: On to the real work.

5 (Laughter).

6 CHAIR COHEN: Let's roll up our sleeves.

7 EXECUTIVE OFFICER LUCCHESI: Yes.

8 CHAIR COHEN: Okay. So I think we're calling a
9 few items out of order -- out of order, is that right, Ms.
10 Lucchesi?

11 EXECUTIVE OFFICER LUCCHESI: Yes.

12 CHAIR COHEN: Can you --

13 EXECUTIVE OFFICER LUCCHESI: Well, the first --
14 excuse me, the first order of business is the adoption of
15 the consent calendar.

16 CHAIR COHEN: Okay.

17 EXECUTIVE OFFICER LUCCHESI: So page six of
18 your --

19 CHAIR COHEN: Yes.

20 EXECUTIVE OFFICER LUCCHESI: Yes.

21 CHAIR COHEN: Okay. So the next order, as you
22 heard, is the adoption of the consent calendar.

23 Commissioners, are there any items that you'd like to
24 remove from this consent calendar?

25 COMMISSIONER KOUNALAKIS: No.

1 ACTING COMMISSIONER PERRAULT: No.

2 CHAIR COHEN: None. Seeing none. Okay. Let the
3 reflect -- let the record reflect that there is none.

4 Next, I'd like to call on Ms. Lucchesi to
5 indicate which items, if any, have been removed from the
6 consent calendar.

7 EXECUTIVE OFFICER LUCCHESI: Yes. Consent items
8 29 and 52 are removed from the agenda and will be
9 considered at a later time.

10 CHAIR COHEN: Okay.

11 EXECUTIVE OFFICER LUCCHESI: And that's it.

12 CHAIR COHEN: All right. Thank you. May I have
13 a motion to adopt the agenda?

14 COMMISSIONER KOUNALAKIS: So moved.

15 CHAIR COHEN: And is there a second?

16 ACTING COMMISSIONER PERRAULT: Second.

17 CHAIR COHEN: All right. Thank you. We have a
18 motion by Commission -- or Lieutenant Governor Kounalakis,
19 second by Commissioner Perrault. Any objections?

20 Seeing none.

21 Unanimous vote?

22 All right, we have a unanimous vote.

23 Ms. Lucchesi, would you like to -- well, I guess
24 there's no need to conduct a roll call, do we?

25 EXECUTIVE OFFICER LUCCHESI: No.

1 CHAIR COHEN: Okay. Thank you.

2 Next order of business will be the regular
3 calendar?

4 EXECUTIVE OFFICER LUCCHESI: Yes. And we will be
5 calling items out of order. I -- we will call Item 67
6 first. This is the El Paso Natural Gas and Cadiz lease
7 application. And then we will move on to Items 65, 66,
8 and then back down to 63, 64 and 68, but I'll keep track.

9 CHAIR COHEN: Okay. Thank you.

10 EXECUTIVE OFFICER LUCCHESI: All right. Let's go
11 ahead and jump to Item 67. Yeah. Our -- one of our
12 senior land agents, Drew Simpkin, will be providing
13 staff's presentation.

14 CHAIR COHEN: All right. So Item 67 for the
15 members of the public is an item to consider authorization
16 for a general lease for maintenance of on existing idle
17 oil pipeline in a caretaker status. We're ready for the
18 staff report. Thank you.

19 (Slide presentation).

20 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: Thank
21 you. Good afternoon, Commissioners. My name is Drew
22 Simpkin, and I'll be giving the staff presentation for
23 Agenda Item 67.

24 Next slide, please.

25 [SLIDE CHANGE]

1 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: As
2 background, the State acquired portions of sections 26 and
3 27, Township 9, North Range 2 East, San Bernardino
4 meridian from the United States by a patent dated
5 September 28th, 1989. The State's acquisition of the
6 property was subject to an existing right-of-way issued to
7 All American Pipeline Company, or All American. The lease
8 premises is located approximately 20 miles east of Barstow
9 in San Bernardino County.

10 Next slide, please.

11 [SLIDE CHANGE]

12 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: The
13 Commission designated the existing federal right-of-way as
14 Lease 7527. The right-of-way authorized All American to
15 construct, use and maintain a 30-inch diameter petroleum
16 pipeline known as the northern pipeline, which was part of
17 a now non-operational distribution system that transported
18 petroleum across California and into Arizona and Texas.
19 The right-of-way was effective May 18th, 1985 for a
20 30-year term.

21 Next slide, please.

22 [SLIDE CHANGE]

23 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: On
24 November 27th, 2000, the Commission authorized the
25 assignment of the existing right-of-way from All American

1 to El Paso Natural Gas Company, or EPNG. Five years later
2 in 2005, the Commission authorized termination of the
3 federal right-of-way and issued a new 30-year general
4 lease right-of-way use to EPNG also designated as Lease
5 7527. The new lease authorized EPNG to convert the
6 pipeline from crude oil to natural gas service.

7 Next slide, please.

8 [SLIDE CHANGE]

9 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: Along
10 with the 2005 authorization, the Commission also certified
11 an Environmental Impact Report for the pipeline conversion
12 project pursuant to the California Environmental Quality
13 Act. The Commission approved and made findings for an
14 alternative that did not propose to convert any portion of
15 the pipeline in the lease from crude oil to natural gas.
16 However, the authorized use of the pipeline in Lease 7527,
17 both in the Commission authorization and the signed lease,
18 was conversion and maintenance of an existing 30-inch
19 diameter crude oil pipeline to natural gas service.

20 This long-standing error was only recently
21 discovered as part of the recent application process. Our
22 primary reason for the proposed termination and lease
23 issuance action is to correct this long-standing error.

24 Next slide, please.

25 [SLIDE CHANGE]

1 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: The
2 pipeline was purged of crude oil, filled with nitrogen gas
3 and sealed before EPNG acquired it in 2000. In the 19
4 years since the Commission authorized the lease, the
5 pipeline has been maintained in an idle status. In 2014,
6 EPNG sold part of the pipeline, including the portion
7 occupying the lease to Cadiz, Inc. Cadiz applied for
8 consent to an assignment of the lease in June 2023.
9 During review, staff identified the apparent inconsistency
10 between the lease's stated purpose and the Commission's
11 CEQA findings.

12 Because of questions about the purpose of Lease
13 7527, EPNG applied for consensual termination of Lease
14 7527 and Cadiz voluntarily withdrew its application for
15 assignment in October 2024.

16 Next slide, please.

17 [SLIDE CHANGE]

18 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: An
19 application was submitted for a general lease right-of-way
20 use for the continued maintenance of the idle
21 non-operational pipeline. The terms of the lease only
22 allow for the applicants to maintain the pipeline in a
23 caretaker status. The transport of any commodity
24 including crude oil, natural gas or water is prohibited.
25 The purpose of the short-term caretaker lease is to

1 correct issues in the existing lease to EPNG, recognize
2 that while EPNG is the Commission's lessee, Cadiz
3 currently owns the pipeline infrastructure and allow EPNG
4 to submit an application for the future decommissioning of
5 the pipeline. The lease also confirms the process for
6 Cadiz, like any prospective applicant, to submit an
7 applications, if it proposes to use the pipeline
8 infrastructure for an alternative use.

9 Next slide, please.

10 [SLIDE CHANGE]

11 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: The
12 proposed caretaker lease requires EPNG and Cadiz to submit
13 independent applications no later than December 15th,
14 2025. The lessees are required to submit an application
15 for the decommissioning and removal of the authorized
16 improvements, including a decommissioning and removal plan
17 prepared by a third party. Additionally, if Cadiz
18 proposes to repurpose the pipeline on State school lands,
19 Cadiz must submit a lease application, for repurposing of
20 the authorized improvements other than continued
21 maintenance and an application for a proposed water
22 conveyance pursuant to Water Code section 1815, unless a
23 court or competent jurisdiction determines that Water Code
24 Section 1815 does not apply to the proposed use. These
25 applications will be evaluated by the Commission and

1 considered at a future public meeting and will dictate the
2 future use or removal of the pipeline.

3 Next slide, please.

4 [SLIDE CHANGE]

5 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: With
6 respect to the application for a proposed water conveyance
7 Water Code section 1815 requires, in part, that a transfer
8 of water, in this case Cadiz, shall not use a water
9 conveyance facility, the northern pipeline, to transfer
10 water from a groundwater basin underlying desert lands
11 that is in the vicinity of a national monument, a national
12 preserve, a national park, a State or federal wilderness
13 area, or State lands to outside of the groundwater basin,
14 unless the State Lands Commission, in consultation with
15 the Department of Fish and Wildlife and the Department of
16 Water Resources, finds that the transfer of water will not
17 adversely affect the natural or cultural resources,
18 including groundwater or habitat for those federal or
19 State lands.

20 The Commission's obligations under Water Code
21 section 1815 are entirely separate from the Commission's
22 leasing jurisdiction.

23 Next slide, please.

24 [SLIDE CHANGE]

25 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: And

1 for reference, the Mojave Desert lands that are described
2 in Water Code section 1815 are shown here in red with the
3 northern pipeline shown in blue and the lease premises
4 located near Daggett on the left side of the image.

5 Next slide, please.

6 [SLIDE CHANGE]

7 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: The
8 proposed lease requires the applicants to pay annual rent
9 and provide adequate liability insurance. Additionally,
10 the surety bond has been increased from \$50,000 to 2.5
11 million in the event that the Commission must remove the
12 pipeline within the lease premises.

13 Next slide, please.

14 [SLIDE CHANGE]

15 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: The
16 authorization of a general lease right-of-way use for the
17 maintenance of the idle pipeline in a caretaker status
18 does not confer any rights or entitlements related to the
19 Cadiz Water Project nor does it address the analysis that
20 the Commission will undertake in compliance with the
21 requirements of Water Code section 1815. The Commission
22 will assess compliance with the Water Code section after
23 an application has been submitted along with a full
24 description and all relevant information has been gathered
25 and analyzed.

1 Next slide, please.

2 [SLIDE CHANGE]

3 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: And
4 in conclusion, staff recommends that the Commission, one,
5 terminate Lease 7527, a general lease right-of-way use,
6 issued to El Paso Natural Gas Company effective December
7 17th, 2024; two, authorize issuance of a general lease
8 right-of-way use to the applicants beginning December
9 17th, 2024 for a term of three years for the maintenance
10 of an idle 30-inch diameter crude oil pipeline, annual
11 rent in the amount of \$9,275 with an annual Consumer Price
12 Index adjustment, surety bond in the amount of \$2.5
13 million and liability insurance in an amount no less than
14 \$1 million per occurrence.

15 Next slide, please.

16 [SLIDE CHANGE]

17 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: The
18 app -- three, the applicants have no right to a new lease
19 or a renewal of any previous lease; four, rescind the
20 lease authorization if the applicants do not execute it by
21 January 16th, 2025; and five, authorize Commission staff
22 and the Office of the Attorney General to take all actions
23 necessary and appropriate, including litigation to remove
24 unauthorized improvements from State land if the
25 applicants do not accept and execute the lease.

1 Next slide, please.

2 [SLIDE CHANGE]

3 PUBLIC LAND MANAGEMENT SPECIALIST SIMPKIN: And
4 that concludes staff's presentation and staff is available
5 to answer any questions.

6 CHAIR COHEN: Thank you very much for the
7 presentation. Let's see, anyone have any questions?

8 No. Are you ready to jump into it?

9 All right. Let's jump.

10 Okay, Ms. Lucchesi, we're ready.

11 EXECUTIVE OFFICER LUCCHESI: Okay. Public
12 comment is next.

13 CHAIR COHEN: Okay.

14 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

15 Thank you. For our first public commenter, we
16 have Chair Timothy Williams followed by Director Ron
17 Escobar.

18 TIMOTHY WILLIAMS: Okay. All right. Thank you.
19 On behalf of the Fort Mojave Indian Tribe, it's an honor
20 to be here. Thank you, Commissioners.

21 (Spoke in native language).

22 TIMOTHY WILLIAMS: I come before you today not
23 only in our language, but to know and to understand that
24 we are the Mojaves, from the Mojave Indian Tribe and from
25 the Mojave Desert. It's important I think to look at what

1 we're asking for and it's to urge the Commission to
2 terminate the El Paso lease and to issue a caretaker lease
3 only to El Paso and not to Cadiz. We look at this from a
4 long-standing and in this project in particular, where we
5 see it. We talk to our -- not only our members, but we
6 talk to our elders and we talk to the other tribes that
7 are within the southwest to where this is unfathomable to
8 think that this could take place and provide the imbalance
9 to our desert, to provide the imbalance to our animals.
10 To provide the imbalance to our entire desert, something
11 of a project of this magnitude taking place.

12 You talk to the singers, you talk to the dancers
13 of Southern California, the ones that live there. We've
14 seen time and time again where you try to -- in different
15 businesses out there, where they try to bring in tribal
16 influence, but it's not from our area. It's not from
17 Southern California. You have comments from -- all the
18 way from Louisiana. We would never think to go -- it's a
19 respect factor that we have with one another in tribes,
20 where we call upon one another. "Do you need help
21 brother? Do you need help sister? Is it okay if we come
22 over there and help you?" versus putting comments that you
23 have about your land into your area is something that we
24 don't do as tribal leaders that are active, that they're
25 the ones that are elected, that -- the ones that are in

1 those leadership positions. We don't do that to one
2 another.

3 So I urge you as you see comments from other
4 former -- whether they be former chairs or former
5 anything, to look at where they come from, because I can
6 tell you those ones that come from Southern California,
7 those ones do not believe in this project.

8 I'd also like to add a little bit more about not
9 only the things that are tangible, but the things that may
10 be intangible to some, when it comes to the spirituality,
11 when it comes to the impact and the effectiveness of
12 what's deep down in our heart. And I say all that,
13 because man it feels good in here. You come to a lot of
14 these meetings and there's a lot of acknowledgement and
15 there's a lot of praise and rightfully so. And it's good
16 to be in this room and have this feeling. So I'd like to
17 share that with you.

18 And once again, I'd like to urge the Commission
19 to terminate the El Paso lease and to issue a caretaker
20 lease, for not only El -- for only El Paso and not Cadiz.
21 And Fort Mojave, along with our other brother and sister's
22 tribes, we will be here and we will continue to be here.
23 Whether or not more applications come, we're not going
24 anywhere. We've been here since time immemorial. And now
25 that this project is more at the forefront, we are going

1 to continue to be here. I will continue to be here. I've
2 been in office for about 18 years. I've been about five
3 different terms and we don't have term limits.

4 (Laughter).

5 TIMOTHY WILLIAMS: And so -- and so we'll
6 continue to fight this. And congratulations to the
7 retirements. And thank you, I like you already. You've
8 moved us up in the agenda, so thank you, Jennifer.

9 Thank you very much.

10 (Applause).

11 CHAIR COHEN: All right, ladies and gentlemen,
12 we've got -- this is a hot topic and people -- there are
13 many people that want to speak on it, so what we are going
14 to do is we're going to limit public comment to just one
15 minute. And I don't want to lose our Lieutenant Governor
16 either, so I want to make sure that we can move this
17 quickly.

18 All right, is there another speaker?

19 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

20 Yes. Thank you. Joining us virtually is
21 Historic Preservation Officer -- or Director, Ron Escobar.

22 RON ESCOBAR: Yes. Good morning -- good
23 afternoon, Commissioners. My name is Ron Escobar, and I
24 am the Director for the Tribal Historic Preservation
25 Office of the Chemehuevi Indian Tribe. The Chemehuevi

1 Indian Tribe is a federally recognized indian tribe
2 located at Havasu Lake, California bordering along the
3 Colorado River. This topic is also of great interest and
4 concern to our tribe. We support the Commission acting to
5 terminate El Paso lease and decommission this pipeline.
6 We also want to take -- make clear that we do not support
7 Cadiz being listed on the caretaker lease.

8 This area of the desert is our traditional
9 homeland like the Fort Mojave Tribe, as Mr. Chairman
10 Williams stated. We have steward this land since Time
11 immemorial. It is delicate -- it is a delicate ecosystem
12 the Chemehuevi people are deeply connected to. These
13 lands preserve our origins, our history, our stories, and
14 our religious ceremonies, ancient sites, and trails. In
15 other words, these lands preserve our well-being as the
16 Chemehuevi people. Our tribe has been opposed to the
17 Cadiz project for many decades, because it is -- proposes
18 to destroy what we have preserved for thousands of years.

19 The Cadiz Project -- if the Cadiz Project was to
20 proceed, we would permanently lose the living landscape
21 that preserves and teaches our traditional ways to have
22 existed since time immemorial. A few weeks ago --

23 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

24 Director Escobar, your time is up.

25 RON ESCOBAR: Thank you.

1 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

2 Our next speaker is Neal Desai followed by Hans
3 Johnson.

4 NEAL DESAI: Good afternoon, Commissioners. Neal
5 Desai representing the National Parks Conservation
6 Association. We align our request with what Chairman has
7 said. We further urge the Commission to send a letter to
8 Cadiz incorporating the points in the staff report,
9 including the requirement to comply with Water Code 1815.

10 Doing this provides the Commission with the
11 intended goals of defining the Commission's position and
12 process without the political public relations, financial
13 and legal perils of entering into a caretaker lease with
14 Cadiz. That is because a caretaker lease cannot compel
15 the company to submit a application by a certain time
16 frame. It can apply whenever it wants to just like anyone
17 else. It cannot compel it to agree with a legal
18 definition. It's noteworthy that Cadiz has owned this
19 pipeline for 10 years and El Paso has successfully been
20 the lessee in this process, showing that you can maintain
21 this status quo, which is exactly what the caretaker lease
22 would do. And I'm out of time. Thank you very much.

23 Congratulations, Jennifer.

24 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

25 Thank you.

1 Our next speaker is Hans Johnson followed by
2 Esperanza Vielma.

3 HANS JOHNSON: Good afternoon, Commissioners.
4 I'm Hans Johnson here representing the East Area
5 Progressive Democrats, the largest Democratic club in the
6 state of California from the east side of greater east
7 side neighborhoods of Los Angeles.

8 I'm here to strongly urge you to terminate the
9 existing lease with El Paso Natural Gas to allow the
10 decommissioning process to begin. Additionally, the
11 caretaker lease should be offered exclusively to El Paso,
12 not Cadiz. The company's approach and practices are not
13 aligned with the values of this Commission. Entering into
14 a lease with Cadiz saddles the Commission with significant
15 political liabilities while providing political benefit
16 for the company.

17 As we stand a month away from the Trump
18 administration let me recap how the administration
19 subverted laws and common sense to give Cadiz everything
20 they wanted just a few years ago. The Trump
21 administration named Cadiz as the nation's 15th emergency
22 and national security project to give it a boost after the
23 Obama administration had blocked it. It then illegally
24 changed the Obama legal analysis, which a federal judge
25 thankfully overturned.

1 And in its final weeks, it illegally bypassed
2 environmental reviews and tribal consultation to allow
3 Cadiz to turn this natural gas pipeline to a water
4 pipeline. That too was reversed by a federal judge. This
5 is part of the State Democratic Party platform to oppose
6 Cadiz. We urge you to decommission and only recognize El
7 Paso on the decommissioning caretaker lease. Thank you.

8 CHAIR COHEN: Thank you. Thank you for traveling
9 to be with us.

10 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
11 Thank you. Our next speaker is Esperanza Vielma,
12 followed by Natalie Brown.

13 ESPERANZA VIELMA: Good afternoon, Commissioners.
14 My name is Esperanza Vielma, Director of the statewide
15 Environmental Justice Coalition for Water. We urge the
16 Commission to terminate the natural gas lease with El
17 Paso, order decommission -- decommissioning and offer a
18 caretaker lease only to El Paso and not Cadiz.

19 Labor and environmental justice leader, Dolores
20 Huerta, has called out Cadiz for exploiting California's
21 scarce resources deceiving disadvantaged communities and
22 ignoring State and federal science. Cadiz fails to meet
23 the Commission's environmental justice policy goals.
24 Desert tribes oppose the project, which disrespects
25 ancestral homelands. State scientists confirm, it would

1 increase impacts and reduce benefits.

2 Cadiz also undermines trust by misusing Dolores
3 Huerta's likeness and previously sought federal permits
4 without public or tribal input. Please proceed with
5 decommissioning and reject any caretaker lease for Cadiz.

6 Thank you.

7 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

8 Thank you.

9 Our next speakers is Natalie Brown followed by
10 Nate Knodt.

11 NATALIE BROWN: Good afternoon, Commissioners.
12 My name is Natalie Brown, and I'm the Environmental Policy
13 Advocate for the Planning and Conservation League. We
14 urge the Commission to terminate the lease of El Paso
15 Natural Gas and order decommissioning, but we urge the
16 caretaker lease be issued only to El Paso, not Cadiz.
17 Adding Cadiz to the caretaker lease would allow the
18 company to subvert your public interest mission and your
19 intentions regardless of your use of clear language.

20 I want to share with you a recent example that
21 highlights why they should not be named on the lease.
22 August of 2023 Senators Feinstein and Padilla wrote to the
23 Biden administration expressing great concern about
24 Cadiz's proposed impacts and how the Trump administration
25 eliminated environmental review of Cadiz. The Senator

1 stated and I quote, "Department of Interior experts,
2 including the U.S. Geologic Survey and National Parks
3 Service, as well peer-reviewed scientific analyses have
4 repeatedly warned that the significant and irreversible
5 impacts that Cadiz's project could have on the desert's
6 fragile ecology and surrounding communities," end quote.

7 The federal agency responded stating that Cadiz
8 would need a permit, writing that seeking to use the
9 additional pipe -- existing pipeline to transport water
10 would require quote, "Intensive environmental studies of
11 those potential impacts." Thank you.

12 CHAIR COHEN: Thank you. You get an award. That
13 was fast.

14 (Laughter).

15 CHAIR COHEN: Wow. Wow. Okay. Can you top
16 that? You've got one minute. Let's see.

17 (Laughter).

18 NATE KNOTT: I'm going to go slow and casual.
19 First of all, I appreciate the opportunity to speak to the
20 real people of the State of California and the Land
21 Commission and the people in the room. As a recently
22 retired person, I applaud the people who were awarded and
23 applauded today for their hard work. So with that, I want
24 to say I grew up -- and I'm representing the San Joaquin
25 Central Valley, our good agricultural bread basket of

1 America.

2 And I want to remind everyone that what we do
3 today determines tomorrow and that we must begin today to
4 think about the environmental impacts of what we do for
5 tomorrow. We must protect our land and our resources. As
6 someone who grew up with a lot of ag orchards and migrant
7 farm camps, I can appreciate this so much. I wish that we
8 limit this simply to a caretaker contract for El
9 Dorado[SIC], we do not go into any contract with Cadiz,
10 and that we -- with today's sound and proper decisions, we
11 won't need all the bells and whistles that were promised
12 as mitigation for things that we simply don't have to do
13 in the first place.

14 Thank you.

15 CHAIR COHEN: All right. That was -- he left
16 three seconds on the clock.

17 (Laughter).

18 CHAIR COHEN: Maybe we should be giving out gold
19 stars, incentivizing people. Okay. Who's next? Who's
20 our next speaker?

21 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
22 Thank you. Our next speaker is Laura Zagar.

23 CHAIR COHEN: And who is after Laura?

24 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
25 Pivoting, our next speaker will be virtual, Gem

1 Moon Montes.

2 CHAIR COHEN: Okay. Get ready, Gem.

3 LAURA ZAGAR: Hi. I'm Laura Zagar. I'm outside
4 counsel for EPNG. I first want to take 30.3 seconds to --
5 on behalf of every lawyer who has practiced before the
6 Commission, since Jennifer took over Executive Director,
7 we are incredibly sad to lose you and are incredibly
8 envious of the next batch of attorneys that gets to
9 interact with you, so thank you.

10 I also want to thank the Commission staff for
11 their time on this issue. I know it's difficult. I just
12 want to -- and I know that this is a very passionate
13 issue. The thought behind this joint caretaker lease was
14 to reflect that the pipeline was sold several years ago
15 and Cadiz had been working on an assignment here. And so
16 the joint tenancy reflects that reality, so we can do what
17 we need to do to preserve the status quo until the
18 Commission makes the ultimate decision here.

19 And the idea is not to prematurely move forward
20 with any decommissioning, because we do acknowledge the
21 sensitive habitat there and want the Commission to make
22 that decision before we move forward with any disturbance.
23 And I'm here and available for any questions that the
24 Commissioners may have.

25 CHAIR COHEN: Thank you.

1 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

2 Thank you. Our next speaker is Gem Moon followed
3 by Fernando David Marquez Duarte.

4 GEM MOON MONTES: My name is Gem Moon Montes.
5 And I live in San Bernardino County. I work with People's
6 Collective for Environmental Justice. I have spent a lot
7 of time in the Mojave Desert and held an internship with
8 the Mojave Desert Land Trust performing field research in
9 Bonanza Springs. There's no way to convey in one minute
10 the importance and significance of our desert, but I can
11 urge you at this time to decommission the current lease
12 and to urge you to not issue a caretaker lease to Cadiz.
13 Allowing Cadiz to have access or control of the land will
14 guarantee the harm of our desert and the future
15 generations' ability to enjoy the environment in a way
16 that is healthy for all.

17 Thank you very much.

18 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

19 Thank you.

20 And now our next speaker is Fernando David
21 Marquez Duarte and then following will be John Monsen.

22 FERNANDO DAVID MARQUEZ DUARTE: Hello. Can you
23 hear me?

24 CHAIR COHEN: Yes.

25 FERNANDO DAVID MARQUEZ DUARTE: Thank you,

1 Commissioners and thank you, everyone. I agree with my
2 colleague Gem Montes. I'm a policy researcher with the
3 People's Collective for Environmental Justice. And I also
4 agree with the admirable and brave brothers from the
5 Chemehuevi and the Mojave indigenous groups.

6 I urge you to order the commissioning and not
7 offer any caretaker lease to Cadiz, because we all know
8 what Cadiz does and we all know what Cadiz will do. We
9 keep exploiting the resources -- taking resources and
10 thinking of research this from the communities that need
11 it, and we'll destroy ancestral lands that are not only
12 physically important, but culturally and spiritually
13 determine and further survival of different indigenous and
14 native tribes in California. So thank you.

15 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

16 Thank you.

17 Our next speaker is John Monsen followed by Luke
18 Basulto.

19 JOHN MONSEN: Just confirming you can hear me.

20 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

21 Yes, we can hear you. Thank you.

22 JOHN MONSEN: Thank you. My name is John Monsen.
23 I'm a long time public lands and water advocate in
24 Southern California. The caretaker lease should be
25 offered exclusively to El Paso. Adding Cadiz as a lessee

1 formally tangle -- formally tangles the Commission in the
2 convoluted mess of Cadiz making. A January 24 LA Times
3 article quotes the Cadiz CEO as admitting that the Cadiz
4 name is a poison pill and that water districts, not Cadiz,
5 would be applicants for State permits.

6 A February 28, 2024 water contract mentioned that
7 the staff report notes a joint powers authority created in
8 2014 will eventually own the pipeline. To the Securities
9 and Exchange Commission, they say that the pipeline will
10 eventually be owned by a limited partnership or limited
11 liabilities company. On this point, you can trust if
12 Cadiz says one thing to you today, they'll say something
13 else to you tomorrow. Please move forward without
14 rewarding Cadiz for the caretaker lease. Thank you very
15 much.

16 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

17 Thank you. Our next speaker is Luke Basulto
18 followed by Juanita Chavez.

19 LUKE BASULTO: Good afternoon. Can you hear me
20 okay?

21 CHAIR COHEN: Yes.

22 LUKE BASULTO: My name is Luke Basulto, and I
23 serve on the Board of the Mojave National Preserve
24 Conservancy. I'm commenting today to urge you to
25 terminate the natural gas lease with El Paso to order

1 decommissioning and to offer a caretaker lease only to El
2 Paso and not Cadiz. The Conservancy is dedicated to the
3 preservation and protection of the Mojave National
4 Preserve's natural cultural -- and cultural resources.

5 I was born and raised in the Mojave and I
6 consider this place family. It's made me who I am today.
7 I'm met the late Senator Feinstein who established the 1.6
8 million acre preserve in 1994 when I was 17 years old and
9 just starting my journey as a conservationist. After
10 that -- after thanking her all -- thanking her for all her
11 work, she told me to keep it up, and 15 years later, I do
12 just that.

13 The Senator saw the beauty in a place that many
14 others don't. And she fought for it, because she loved
15 and she fought for my family, so today, I'm fighting for
16 her legacy. Cadiz protects -- Cadiz's project dishonors
17 the place Senator Feinstein, myself, and so many others
18 have fought for and will lead to irreversible damage to
19 the desert environment and the communities that depend on
20 it. That is why the Conservancy strongly opposes it. We
21 urge the Commission to -- thank you.

22 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

23 Thank you.

24 Our next speaker is Juanita Chavez followed by
25 Angela Mooney D'Arcy.

1 JUANITA CHAVEZ: Good afternoon. I'm
2 representing the Dolores Huerta Foundation and my mother,
3 Dolores Huerta, urging you to terminate the El Paso
4 Natural Gas lease, direct the decommissioning plan, and
5 issue a caretaker lease to only El Paso not Cadiz.
6 Recently, the Dolores wrote about Groundswell, an
7 astroturf group, focused on gaining approval for Cadiz by
8 co-opting the language of environmental justice to pass
9 damaging policies.

10 Politico exposed Groundswell as being funded by
11 Cadiz. And as mentioned, the group did use my mother's
12 likeness without her permission to gain credent --
13 credibility with groups of color.

14 I'll close with a quote from her, "Cadiz
15 continues to promise it can supply water to communities.
16 I've long advocated for water solutions that prioritize
17 people, especially disadvantaged communities, and the
18 environment, which is why I strongly oppose Cadiz." Cadiz
19 Desperate -- and this end quote. Cadiz desperately wants
20 association with the Commission through a caretaker lease,
21 but you should not allow your good name to be associated
22 with it. Thank you for your good work and consideration.

23 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

24 Thank you.

25 Our next speaker is Angela Mooney D'Arcy followed

1 by Daniel Hinojosa.

2 ANGELA MOONEY D'ARCY: (Spoke in native
3 language). Good afternoon, Commissioners. My name is
4 Angela Mooney D'Arcy. I am from the Acjachemen Nation,
5 Juaneno Band of Mission Indians.

6 Thank you for the opportunity to offer these
7 comments in support of the positions articulated by the
8 Fort Mojave Indian Tribe, the Chemehuevi Indian Tribe, and
9 many others. Sacred Places Institute is a California
10 indigenous-led environmental justice organization working
11 to build the capacity of native nations and indigenous
12 peoples to protect sacred lands, waters and cultures. We
13 strongly urge you to terminate the existing lease with El
14 Paso Natural Gas to allow the decommissioning process to
15 begin.

16 Additionally, the caretaker lease should only be
17 offered to El Paso, not Cadiz. We appreciate that your
18 Environmental Justice Policy goals highlight honoring the
19 importance of tribal ancestral homelands. The important
20 points made today by Fort Mojave and Chemehuevi speak
21 exactly to this and help inform why it is not in the
22 State's best interest to offer a lease to Cadiz.

23 We stand in alignment with the Fort Mojave Indian
24 Tribe, the Chemehuevi Indian Tribe, the Tribal Alliance of
25 Sovereign Indian Nations and the National Congress of

1 American Indians in opposing Cadiz and its water-mining
2 scheme that requires us to use this State land parcel, and
3 reiterate that this is not in the State's best interest.

4 Thank you for your time.

5 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

6 Thank you.

7 Our next speaker is Daniel Hinojosa followed by
8 Abraham Sanchez.

9 DANIEL HINOJOSA: Hi. Good afternoon,
10 Commissioners. I just want to thank you for the
11 opportunity to comment. My name is Daniel Hinojosa. I'm
12 a lifelong resident of Barstow, California. I'm an
13 engineer and lover of my desert home. And today, I'm
14 speaking to express my strong opposition to the Cadiz
15 Water Project. I would like to request that you guys
16 terminate the El Paso natural gas lease and move forward
17 with decommissioning. I also request that you offer the
18 caretaker lease to only El Paso and not Cadiz.

19 First and foremost, I really want to emphasize
20 the significant distress surrounding this project.
21 Numerous government agencies, scientists and local
22 communities have raised serious concerns about the
23 transparency and integrity of the project's planning, as
24 well as execution. I think there's a lot of valid fears
25 that the environmental impact assessments have been

1 insufficient and potentially biased.

2 When a project of this magnitude lacks
3 transparency, I think it undermines public trust and
4 raises a lot of red flags about the true intentions and
5 potential hidden consequences that this project might
6 have. And I think this also explains why Cadiz wants a
7 lease with the Commission.

8 Thank you.

9 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

10 Thank you.

11 Our next speaker is Abraham Sanchez followed by
12 Kim Delfino.

13 ABRAHAM SANCHEZ: Good afternoon. My name is
14 Abraham Sanchez. I'm 24 years old. I was born and raised
15 in the community of Barstow, California. I'm here today
16 to express my strong opposition to the Cadiz Water binding
17 project.

18 For this agenda item, I urge you to terminate the
19 existing lease with El Paso Natural Gas, so that
20 decommissioning can begin and to offer the caretaker lease
21 to only El Paso, not Cadiz. As someone who cares deeply
22 about our community and our desert environment, as -- and
23 as someone who has been seen and experienced the effects
24 of dangerous water quality firsthand, it's disheartening
25 to see the shady tactics Cadiz have played to gain support

1 from communities of color, using misleading promises and
2 exploiting our vulnerabilities and fears. These tactics
3 undermine the trust and integrity needed to -- for genuine
4 community engagement and reveal a discard for the real
5 needs and community of -- and concerns of our communities.
6 Leasing with this company is no the State's best interest.

7 Thank you so much.

8 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

9 Thank you.

10 Our next speaker is Kim Delfino followed by Mary
11 Ann Ruiz.

12 KIM DELFINO: Good afternoon. My name is Kim
13 Delfino, and I'm here representing Defenders of Wildlife,
14 Audubon California, California Native Plant Society. We
15 urge you to terminate the existing lease with the El Paso
16 Natural Gas to allow the decommissioning process to begin,
17 but we also believe that that caretaker lease should be
18 offered exclusively to El Paso and not Cadiz.

19 A caretaker lease cannot provide the sought after
20 benefit of controlling a process, because it cannot compel
21 Cadiz to take actions by a certain date. Instead, it
22 stands to open up the Commission to subversion by Cadiz.
23 And as the staff report noted, Cadiz is an adversary
24 counterparty that does not agree with the Commission on
25 most fundamental issue of how to do business with the

1 Commission in compliance with Water Code 1815. Adding
2 Cadiz to a lease will not and cannot change the company's
3 position, but it will lead to a situation where Cadiz
4 touts the unprecedented benefit of doing business with the
5 State through a formal lease agreement, while actively
6 informing the public that it disagrees with it. And this
7 is not in the public interest. And for this reason, we'd
8 urge you to reject adding Cadiz to the caretaker lease.
9 Thank you.

10 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

11 Thank you.

12 Our next speaker is Mary Ann Ruiz followed by
13 Lorraine Enriquez.

14 MARY ANN RUIZ: Good afternoon, Commissioners.
15 My name is Mary Ann Ruiz. I live in Chino and volunteer
16 my time as Chair of the Sierra Club San Gorgonio Chapter
17 covering Riverside and San Bernardino counties. I
18 volunteer to protect places like our majestic desert. I
19 urge you to terminate the existing lease with El Paso
20 Natural Gas, allow the decommissioning process to begin,
21 and do not offer the caretaker lease to Cadiz.

22 Getting in the business with Cadiz is -- there's
23 financial pitfalls. In 2002, the Metropolitan Water
24 District rejected partnering with Cadiz, because the
25 science showed the project couldn't pump out as much water

1 as they said. In return for following the science and
2 common sense, Cadiz sued and sought \$600 million in
3 damages. The water district won and were left by Cadiz
4 with \$3.1 million in costs.

5 I urge you that it is not in the State's best
6 interest to get into business with Cadiz, including
7 through a caretaker lease. Thank you.

8 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

9 Thank you.

10 Our next speaker is Lorraine Enriquez followed by
11 David Sickey.

12 LORRAINE ENRIQUEZ: Good afternoon,
13 Commissioners. My name is Lorraine Enriquez. I'm the
14 President of the Redlands Area Democratic Club. We serve
15 the community of -- the communities of Loma Linda,
16 Highland and Redlands, and we've been around since 1993.

17 I urge you to terminate the existing lease with
18 El Paso Natural Gas, so that decommissioning can begin and
19 to offer the caretaker lease to only El Paso not Cadiz.
20 Doing Cadiz -- doing business with Cadiz is filled with
21 political peril.

22 In an Op-Ed that I wrote this year for the Desert
23 Sun titled, *Cadiz, Inc. exploits Latinos in scheme that*
24 *could destroy desert.* I publicized how Cadiz's CEO
25 admitted that the Cadiz name is a poison pill and the

1 company's plan to have other front groups for the project
2 in order to build political support. I noted how Cadiz
3 front groups used Dolores Huerta's likeness to promote the
4 project despite Dolores's strong -- strongly opposing
5 Cadiz and how she called its efforts deceitful and
6 unconscionable for falsely co-opting the language of
7 environmental justice.

8 Thank you.

9 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

10 Thank you.

11 Our next speaker is David Sickey followed by
12 Charming Evelyn.

13 David, you should --

14 DAVID SICKEY: My name is Dave --

15 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

16 Oh, perfect. We can hear you. Thank you.

17 DAVID SICKEY: Okay. My name is David Sickey.

18 I'm a former tribal chairman and recently served as senior
19 consultant to the U.S. Department of Energy Tribal Energy
20 Loan and Loan Guarantee Program.

21 I currently serve as Senior Advisor to Cadiz for
22 tribal energy and water programs and am speaking today in
23 support of Item 67 on the Commission's agenda. I spent
24 two years with the Biden administration at the Department
25 of Energy working with tribes across the country to

1 promote investment in clean energy infrastructure, because
2 tribes are on the frontlines of climate change and our
3 survival depends on it.

4 I joined Cadiz last year for the same reason,
5 because no issue is more important to our way of life, our
6 economic security, and tribal sovereignty than access to
7 water. Denial of our water rights has disenfranchised
8 Native Americans for generations, divided us from our
9 ancestral lands and from each other, denied us the ability
10 to farm, fish, build homes, support our families and
11 develop our economies.

12 I was recruited by people in indian country,
13 fellow tribal leaders to assist on the project because
14 Cadiz has chosen to partner with tribes. Thank you for
15 your time.

16 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
17 Thank you.

18 Our next speaker is Charming Evelyn followed by
19 Tom Rogers.

20 CHARMING EVELYN: Good afternoon, members of the
21 Commission. My name is Charming Evelyn and Chair the
22 Water Committee for Sierra Club California. And I'm here
23 today, and I would agree with the Commission staff's
24 recommendation and the Mojave tribal community to
25 terminate lease number 7527. However, we ask that you

1 modify the staff recommendation number two by approving
2 the caretaker lease with only EPNG as the process of
3 decommissioning continues.

4 Cadiz purpose to confer this pipeline as a
5 conveyance for potable water is fraught with concerns from
6 public health to groundwater sustainability, including
7 violating the Water Code. DWR in the 2024 hydrologic
8 regional report stated that the groundwater basin storage
9 is unknown and natural recharge is estimated at 800 acre
10 feet per year. Plus, TDS concentrations also exceed
11 drinking water standards. So this is a bad deal all
12 around for people, flora and fauna.

13 Thank you for your time today.

14 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

15 Thank you.

16 Our -- I believe we have Tom Rogers calling in
17 from 595. Do you see him?

18 Okay. Tom if you're online, if you could please
19 raise your hand so we can identify you.

20 We'll move to Hugh Cox followed by Juana Torres.

21 HUGH COX: Hello. Are you able to hear me?

22 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

23 We can hear you. Thank you.

24 HUGH COX: Okay. I'm Hugh Cox, a Claremont
25 resident and a Board member of Sustainable Claremont.

1 I strongly urge you to terminate the existing
2 lease with El Paso Natural Gas to allow the
3 decommissioning process to begin. The caretaker lease
4 should be offered exclusively to El Paso and not Cadiz.
5 Our community has experienced the deceptive practices of
6 Cadiz firsthand. Following the passage of SB 307 in 2019,
7 Cadiz sought to manufacture evidence that its water mining
8 project would not harm desert springs. To achieve this,
9 it recruited an ally, the Three Valleys Municipal Water
10 District in eastern LA county to front a slanted Cadiz
11 research study. The Cadiz scheme was uncovered and wisely
12 discredited by the public. Three Valleys canceled the
13 bogus study and the District's option agreement for water
14 from Cadiz. Cadiz is not the kind of company you want to
15 enter a lease with.

16 Thank you very much.

17 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

18 Thank you.

19 Our next speaker is Juana Torres.

20 JUANA TORRES: Hi. Can you hear me?

21 CHAIR COHEN: Yes.

22 JUANA TORRES: Thank you. My name is Juana
23 Torres. I'm a long-time public lands activist from the
24 Los Angeles area. And I'm here to ask you to please
25 terminate the existing lease with the El Paso Natural Gas

1 to allow the decommissioning process to begin. I'm also
2 here to ask you that the caretaker lease should be offered
3 exclusively to El Paso and not Cadiz.

4 In 20 to 30 seconds, I'd like to summarize why I
5 believe Cadiz is an unethical and corrupt company and a
6 company that we as Californians and you the Commission
7 should not want to be involved with. In 2018, cadiz
8 approached the Upper San Gabriel Valley Municipal Water
9 District attempting to get the District to approve an
10 option agreement with them. In the run up to the final
11 vote, they were having a difficult time finding Board
12 members to support them, so they approached one of the
13 Board members, as reported in the Desert Sun, Brian Urias,
14 and proceeded to threaten him to vote in their favor,
15 threatening him with running someone else against him.
16 Thank you.

17 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

18 Thank you. And that is our final speaker on this
19 item.

20 CHAIR COHEN: All right. Thank you very much.
21 Let's go ahead and let the matter be in the hands of this
22 body.

23 Ms. Lucchesi, is there any last remarks that you
24 have?

25 EXECUTIVE OFFICER LUCCHESI: Not at this point.

1 CHAIR COHEN: No.

2 EXECUTIVE OFFICER LUCCHESI: Happy to answer
3 questions.

4 CHAIR COHEN: Okay. Thank you very much.

5 Are there any questions first of all?

6 No. All right. We can just go ahead. I want to
7 offer some talking points.

8 First, I appreciate the staff for their hard work
9 in the negotiating in good faith. You spent a lot of
10 time. However, I am in disagreement with the
11 recommendation. And I'm going to make the case as to
12 where I -- how I come to my decision. So first, I want to
13 acknowledge that the El Paso Natural Gas is the
14 Commission's lessee, which means that EPNG is the party
15 that the Commission has as a -- Commission has as
16 lessor/lessee relationship with, okay?

17 And EPNG, consistent with the current lease, is
18 the sole party responsible for decommissioning of the
19 pipeline and restoring the leased premises to the
20 satisfaction of this body. Importantly, when considering
21 why application -- when considering any application before
22 us on this Commission, we evaluate the potential lessee's
23 financial information and this is actually very critical.

24 I had an opportunity to take a deeper dive into
25 exactly what their finances are. I want to -- I want to

1 just highlight that when considering an application we --
2 as I mentioned, we evaluate the potential lessee's
3 financial information. However, according to Cadiz's Form
4 10Q, and this is for the third quarter of this year, this
5 is a company whose nine-month run rate is a \$7 million net
6 loss. They have doubled their interest expense from \$3.6
7 million in 2023 to 5.9 million year-to-date in 2024, and
8 they have doubled their long-term debt year after year to
9 the tune of \$37.7 million. This company has been issuing
10 massive amounts of equity and racking up tons of debt.

11 And, you know, I'm your State Controller, so I
12 know a thing or two about money and debt, and companies,
13 and company's viability.

14 And sure, they claim that -- Cadiz claims that
15 once their water project is up and running that they can
16 repay their investors and become solvent. That's a
17 possibility. Only the future can determine that. But we
18 have no assurance that this project will appear -- we have
19 no assurance that the project, which appears to be the
20 only potential revenue source for this company, will ever
21 come to fruition.

22 And so I'm not willing to gamble with taxpayer's
23 money. And on the other hand, the original leaseholder,
24 El Paso Natural Gas, it's owned by Kinder Morgan, which is
25 one of the largest energy companies in the world. I'm not

1 concerned that El Paso will be able to afford the nine
2 thousand seven hundred and twenty-five thousand dollar
3 annual rent or the increased bond to cover the removal of
4 the infrastructure, but I do understand that Cadiz owns
5 the pipeline infrastructure. I understand that other
6 caretaker leases have included both the previous lease
7 holder and the current infrastructure owner, but this
8 is -- this is not a defined law or even internal written
9 policy.

10 Leases should not be automatically assumed to be
11 issued to a company simply because they are purchased
12 existing -- because they purchased existing infrastructure
13 on the parcel. Leases are issued at the discretion of
14 this Commission in accordance with the law and on a
15 case-by-case basis. If El Paso Natural Gas would like to
16 subcontract out maintenance work to Cadiz to maintain the
17 pipeline, they can do so. They are -- they're welcome to
18 continue doing it and operating in that capacity, but
19 also, there is a history of this company avoiding
20 transparency and that is what gives me pause. Cadiz
21 purchased this pipeline in 2014 and neither of these
22 companies notified us of the sale as required by lease
23 terms until 2021.

24 Cadiz has not provided clear updated information
25 about their proposed water project nor have they been

1 forthcoming about their intent for repurposing the
2 northern pipeline. And this is the pipeline that is the
3 subject of the caretaker lease.

4 We still have no information from Cadiz about any
5 proposed project description for future use of the
6 pipeline. Although, everything they are telling investors
7 about -- telling investors about is -- about a water
8 conveyance -- they're describing it as a water
9 conveyancing project. When asked directly by staff, they
10 won't say yes or no. They just say that they intend to
11 use the pipeline for water. Well, I don't know what that
12 exactly means, but we're not judging, okay? We are
13 considering -- we are not judging or considering the water
14 project today. So it's almost not an issue. I use that
15 only as an example of -- to develop the character of the
16 entity that is coming to petition before us.

17 We're not judging, but the repetitive lack of
18 transparency here is concerning, as is the financial
19 health of the company and the testimony from public
20 commenters here today, commenters that have submitted
21 their testimony in writing. Many of you have witnessed it
22 today.

23 So in the best interests of the State, I would
24 like to put forth a motion to remove Cadiz from the
25 caretaker lease. I can make a motion now or I can make a

1 motion later.

2 Now you say? Okay.

3 I move to adopt staff's recommendation as
4 written, except that the three-year caretaker lease shall
5 be given solely to El Paso Natural Gas, LLC and not to
6 Cadiz, and the specific proposed lease terms shall be
7 modified to reflect EPNG as the sole lessee.

8 I rest my case.

9 Madam, would you like to anything?

10 COMMISSIONER KOUNALAKIS: Okay. I think we
11 heard -- we heard you, Chair, loud and clear. Thank you
12 for laying all of that out. Really, I have a question for
13 you. Ms. Lucchesi, my last question of you after
14 thousands of questions I think over the last six years.
15 What are the implications? We heard this again and again
16 from those who were raising this. What are the
17 implications of this motion of directing staff to only
18 issue the caretaker lease to El Paso?

19 EXECUTIVE OFFICER LUCCHESI: Yeah. So the
20 implications are that El Paso Natural Gas will be our sole
21 lessee, if the Commission adopts the Controller's motion.
22 And then it will be up to El Paso Natural Gas to work with
23 Cadiz to gain access and rights to that pipeline in order
24 to maintain it consistent with the caretaker lease and
25 also for them to work together to submit the

1 decommissioning plan that's required by the proposed
2 lease.

3 COMMISSIONER KOUNALAKIS: And do we have reason
4 to believe that El Paso will accept this as terms?

5 EXECUTIVE OFFICER LUCCHESI: I know that they had
6 accepted the terms as staff proposed in the staff report.
7 None of the terms that are solely related to them will be
8 changed by the Controller's motion. So we do have a
9 representative from El Paso Natural Gas here, but I can't
10 answer that directly, other than to say the terms that are
11 directly impacting them won't change with the Controller's
12 motion.

13 COMMISSIONER KOUNALAKIS: Okay. Those are all
14 the questions I have.

15 CHAIR COHEN: Thank you.

16 ACTING COMMISSIONER PERRAULT: No.

17 CHAIR COHEN: No other questions. All right,
18 well, are we ready to vote?

19 COMMISSIONER KOUNALAKIS: I'll second your
20 motion.

21 CHAIR COHEN: All right. Thank you very much.
22 Let's do a roll call vote, please.

23 EXECUTIVE OFFICER LUCCHESI: Okay. Commissioner
24 Kounalakis?

25 COMMISSIONER KOUNALAKIS: Aye.

1 EXECUTIVE OFFICER LUCCHESI: Commissioner
2 Perrault?

3 ACTING COMMISSIONER PERRAULT: Aye.

4 EXECUTIVE OFFICER LUCCHESI: Chair Cohen?

5 CHAIR COHEN: Aye.

6 EXECUTIVE OFFICER LUCCHESI: The amended motion
7 passes.

8 CHAIR COHEN: Unanimously. Thank you.

9 (Applause).

10 CHAIR COHEN: Thank you. All right. Ladies and
11 gentlemen, we are going to keep going. I know some of you
12 may need a bathroom break, but we've got a long agenda.
13 I've got to keep going.

14 Okay. Next up we're going to call Item number
15 65, is that right?

16 EXECUTIVE OFFICER LUCCHESI: Correct.

17 CHAIR COHEN: All right, Item 65. Item 65 is to
18 consider approval of the legislative report titled 2025
19 Biennial Report on the, "California Marine Evasive --
20 Invasive Species Program." All right, let's have the
21 staff report. Thank you.

22 (Slide presentation).

23 ENVIRONMENTAL PROGRAM MANAGER SCIANNI: So good
24 afternoon, Madam Chair and Commissioners. My name is
25 Chris Scianni, and I'm the Environmental Program Manager

1 for the Commission's Marine Invasive Species Program.

2 Raya Nedelcheva from our team will present the 25th
3 anni -- or sorry, the 2025 Biennial Report, but I wanted
4 to take a few slides at the very beginning to talk about
5 our program and highlight our 25th anniversary as a
6 program, so there's another 25th anniversary, and some of
7 the great work that we've done over the past 25 years.

8 Next slide, please.

9 [SLIDE CHANGE]

10 ENVIRONMENTAL PROGRAM MANAGER SCIANNI: So the
11 Marine Invasive Species Program is a multi-agency program
12 that was created to address the introduction of
13 nonindigenous species, which are organisms that are
14 transported by human activities, either intentionally or
15 unintentionally to areas where they don't naturally or
16 historically occur. And these species can cause a variety
17 of impacts in their introduced locations, including
18 impacts to the environment, economy, and human health.
19 But when nonindigenous species become established and
20 start to cause impacts, then we refer to them as invasive
21 species.

22 Next slide, please.

23 [SLIDE CHANGE]

24 ENVIRONMENTAL PROGRAM MANAGER SCIANNI:

25 Commercial maritime shipping is the primary

1 pathway for aquatic nonindigenous species in coastal
2 regions accounting for up to 79 percent of the established
3 nonindigenous species in North America.

4 Shipping vessels can introduce species by two
5 main mechanisms, ballast water and biofouling. So ballast
6 water is water -- port water that's taken on board for
7 vessel trim instability usually during cargo unloading
8 operations and then discharged at a subsequent port during
9 cargo loading. So in doing so, the vessel takes whole
10 communities of organisms from one port and then transports
11 them to another port.

12 Biofouling refers to organisms such as barnacles
13 or mussels that attach or associate with the hull and
14 other underwater services of a vessel. Vessel moving from
15 port to port can take this biofouling community with them
16 when they travel around the world and the organisms can
17 spawn or release larvae at any of those ports that it
18 visits.

19 So our Program focuses on vector management
20 requiring management of vessel's ballast water and
21 biofouling to reduce the likelihood of introducing
22 nonindigenous species.

23 So next slide, please.

24 [SLIDE CHANGE]

25 ENVIRONMENTAL PROGRAM MANAGER SCIANNI: So as I

1 said at the outset, our Program is celebrating our 25th
2 anniversary in a couple of weeks on January 1st and I
3 wanted to highlight some of the great work that our team
4 has done over those 25 years. So between 2000 and 2024,
5 we've seen over a quarter million vessel arrivals at
6 California ports arriving from 121 different countries
7 with total ballast water discharges of 233 million metric
8 tons equivalent to the volume of over 93,000 Olympic sized
9 swimming pools. And so for context, a single metric ton
10 of ballast water, unmanaged water can have tens of
11 thousands of planktonic animals and over a million
12 planktonic algae.

13 These vessels also represent over 2,800 square
14 kilometers of underwater vessel surfaces or wetted surface
15 area that may have biofouling associated with it
16 equivalent to 2.3 times the size of the area of the City
17 of Los Angeles. So over the years, our Program has
18 cumulatively employed 24 staff members, hosted 16 interns,
19 many of which are now professional State and federal
20 scientists, and have had 67 different inspectors perform
21 more than 47,000 inspections for ballast water and
22 biofouling.

23 So finally, we have produced 22 and soon to be 23
24 legislative reports on a variety of topics requested by
25 the Legislature and have reinforced our global leadership

1 through the publication of 18 peer-reviewed scientific
2 journal articles that have been widely used by other
3 scientists and regulatory partners, resulting in over 561
4 citations of our work by other scientists in their public
5 work

6 Next slide, please.

7 [SLIDE CHANGE]

8 ENVIRONMENTAL PROGRAM MANAGER SCIANNI: So one
9 way to evaluate the effectiveness of our program is to
10 look at the -- at whether the rate of new detections of
11 aquatic nonindigenous species has decreased over time
12 since the start of the program. So this figure showing
13 the number of new detections since 1990, ten years before
14 the creation of the Program. So the left side axis shows
15 the number of new species detected and the bottom axis is
16 time with the black line representing the start of the
17 program. The dark portion at the bottom represents new
18 species that were likely introduced via ballast water.
19 The lighter is species likely introduced via biofouling.
20 And the lined combo pattern represents species that could
21 have been introduced by either ballast water or
22 biofouling.

23 The takeaway here is that the total number of new
24 species introduced during -- resulting from either ballast
25 water or biofouling has decreased sharply over the years

1 since the Program was created with no new ballast water
2 detections between 2015 and 2023. this chart only goes to
3 2020. But as the survey was conducted in 2023, there were
4 no new species to California at that point. And this
5 change with the recent detection of golden mussels in
6 Stockton a few months ago.

7 So next slide, please.

8 [SLIDE CHANGE]

9 ENVIRONMENTAL PROGRAM MANAGER SCIANNI: So as
10 you've likely heard, the golden mussels were detected in
11 October at the Port of Stockton and were likely introduced
12 from a commercial ship via ballast water.

13 And I want to bring this up to emphasize that our
14 goal is to reduce the likelihood of species introductions
15 and continue to intro -- reduce risks over time. Complete
16 prevention is impossible without shutting down commercial
17 shipping, and that's not a realistic or aspirational goal.
18 So while this introduction is unfortunate, we will
19 continue to strive to improve our effectiveness as a
20 program and our staff are working with an interagency task
21 force that is led by the Department of Fish and Wildlife
22 to respond to this introduction.

23 Next slide, please.

24 [SLIDE CHANGE]

25 ENVIRONMENTAL PROGRAM MANAGER SCIANNI: And I'll

1 step aside and pass the podium to Raya.

2 SENIOR ENVIRONMENTAL SCIENTIST NEDELICHEVA: Good
3 afternoon, Commissioners. My name is Raya Nedelcheva, and
4 I'm a Senior Environmental Scientist with the Marine
5 Invasive Species Program.

6 I'll present -- I'll present the 20 -- oh. I'll
7 present the 2025 Biennial Report on the California Marine
8 Invasive Species Program. The purpose of this report is
9 to provide an update to the Legislature on Marine Invasive
10 Species Program activities from the beginning of 2020
11 through the end of 2023. The report includes a summary of
12 vessel reported data. The main accomplishments of the
13 Program during this time and staff recommendations on next
14 steps.

15 Next slide, please.

16 [SLIDE CHANGE]

17 SENIOR ENVIRONMENTAL SCIENTIST NEDELICHEVA: So
18 during 2022 and 2023, California ports received about
19 10,500 arrivals per year. And during the same time
20 period, 11 percent of vessels that reported to the
21 Commission discharged ballast water. Both of these values
22 are consistent with the averages observed over the past 10
23 years.

24 Next slide, please.

25 [SLIDE CHANGE]

1 SENIOR ENVIRONMENTAL SCIENTIST NEDELICHEVA:

2 During 2022 and 2023, Commission staff had many
3 accomplishments. Staff led the development of a Pacific
4 States Data Sharing Dashboard, known as PACDASH, to make
5 available to the public data from programs in California,
6 Oregon, Washington and Hawaii. We also have a similar
7 California Specific Interactive Dashboard that is hosted
8 on the Commission's website.

9 Next slide, please.

10 [SLIDE CHANGE]

11 SENIOR ENVIRONMENTAL SCIENTIST NEDELICHEVA:

12 Commission staff continues to be invited to
13 participate in international policy discussions and
14 training operations. During 2022 and 2023, staff was
15 invited, with all costs covered, to deliver in-person
16 biofouling management training on behalf of the
17 international maritime organization in Mexico, Brazil, and
18 Peru with an additional virtual training in Ecuador.

19 Commission staff also co-authored four
20 peer-reviewed scientific journal articles. Publication of
21 journal articles allows MISP to continue its global
22 leadership on the advancement of science and policy
23 related to shipping and nonindigenous species.

24 Next slide, please.

25 [SLIDE CHANGE]

1 SENIOR ENVIRONMENTAL SCIENTIST NEDELICHEVA: The
2 Biennial report includes three recommendations to the
3 Legislature. The first request is to support Commission
4 efforts to secure ongoing funding for the marine invasive
5 species program. The Commission's ability to collect fees
6 will be limited by the federal implementation of the
7 Vessel Incidental Discharge Act. Once in effect, these
8 restrictions are projected to reduce revenues to the
9 Marine Invasive Species Control Fund by between \$400,000
10 and \$600,000 annually and will move the fund towards
11 insolvency.

12 The second request is to consider supporting an
13 amendment of the Marine Invasive Species Act to require
14 the biennial report to the California Legislature to be
15 updated triennially instead of biennially, expanding
16 responsibilities impending revenue losses, current
17 statewide spending reductions and elimination of
18 vacancies, and future restrictions on raising the amount
19 of the vessel arrival fee that supports the Program will
20 require adjustment to workloads and priorities. And the
21 interactive data dashboards I mentioned in the previous
22 slide will ensure no lapse in vessel data availability.

23 The third request is to consider supporting
24 future Commission recommendations for amendments to the
25 Marine Invasive Species Act to align with the federal

1 Vessel Incidental Discharge Act. Staff continues to
2 review the final vessel discharge standards regulations
3 recently adopted by the U.S. EPA and is involved in the
4 Coast Guard's process for developing regulations to
5 implement those standards.

6 California will likely need to amend the Marine
7 Invasive Species Act to ensure that the Commission's
8 enforcement of ballast water and biofouling management
9 requirements remains consistent with the federal
10 preemption principles.

11 Next slide, please.

12 [SLIDE CHANGE]

13 SENIOR ENVIRONMENTAL SCIENTIST NEDELICHEVA: We
14 request the following:

15 One, to approve the proposed report to the
16 Legislature titled, "2025 Biennial Report on the
17 California Marine Invasive Species Program," substantially
18 in the form attached as Exhibit A;

19 Two, to authorize staff to make non-substantive
20 modifications to the report as are necessary to correct
21 typographical errors or clarify the information presented
22 prior to submission to the Legislature, and;

23 Three, direct staff to submit the report
24 substantially in the form attached as Exhibit A to the
25 Legislature in compliance with Public Resources Code

1 section 71212.

2 Next slide, please.

3 [SLIDE CHANGE]

4 SENIOR ENVIRONMENTAL SCIENTIST NEDELICHEVA: Thank
5 you for considering approval of the Legislative report,
6 and I would be happy to answer any questions.

7 CHAIR COHEN: Thank you very much for the
8 presentation. Colleagues, are there any remarks, any
9 questions?

10 Okay. Seeing none, let's go ahead to public
11 comment

12 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
13 Thank you. We have one public commenter,
14 Jacqueline Moore. You should be able to unmute yourself
15 now.

16 JACQUELINE MOORE: Hello. Thank you so much.
17 Good afternoon. My name is Jacqueline Moore from the
18 Pacific Merchant Shipping Association. And you also heard
19 from my colleague Mike Jacob earlier today commending
20 Jennifer and that sentiment certainly comes from us all,
21 so well wishes there.

22 All right. So, thank you for the opportunity to
23 comment on this latest report and many congratulations on
24 the 25th anniversary. I wish to begin by saying PMSA has
25 greatly appreciated the collaborative relationship we've

1 long held with staff, especially with Chris. There's
2 always been great engagement, communication by the agency,
3 and we very much welcome and value that. As with the
4 previous reports, it's very comprehensive and includes
5 invaluable data and general continued increase in
6 compliance by members is wonderful to see.

7 As we know, the Species Act asks State Lands to
8 inspect 25 percent of vessels. And I think it's always
9 important to point to those that were practical. And the
10 report shows over 67 percent. And that's excellent to see
11 that they're exceeding realistic expectations. PMSA has
12 long advocated for (inaudible) factor over a straight
13 threshold and in turn reducing the number of inspections,
14 so basically looking at risk instead.

15 CHAIR COHEN: Thank you.

16 JACQUELINE MOORE: Thank you.

17 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

18 Thank you. That's our last public commenter on
19 this item.

20 CHAIR COHEN: Okay. All right. Good.
21 Congratulations on the 25th anniversary. That's huge.
22 I'm impressed with that -- I hear that there's -- the
23 scientists on staff in this unit are internationally known
24 and highly sought after. That's quite impressive. That's
25 something I think we should elevate. So it's great to

1 work with the team. Let's go ahead and prioritize
2 ensuring that our waters are protected. And there's also
3 one thing I want to note, that there's a four hundred to
4 six hundred thousand loss in revenue. I think that is
5 substantial and it does make sense for us to honor the
6 staff recommendation, have less frequent reporting
7 schedules, so that we can begin to cut this shortfall.

8 All right, seeing that there are no other
9 speakers on this item. This is an action item. May I
10 have a motion to adopt staff's recommendation.

11 ACTING COMMISSIONER DURLAO: So moved.

12 CHAIR COHEN: All right. A motion by me -- or
13 him and --

14 (Laughter) I

15 CHAIR COHEN: -- Dr. Dumlao.

16 Is there a second?

17 Second by Malia. Thank you.

18 Could we take a roll call vote?

19 EXECUTIVE OFFICER LUCCHESI: Certainly. Thank
20 you.

21 Commissioner Dumlao?

22 ACTING COMMISSIONER DURLAO: Yes.

23 EXECUTIVE OFFICER LUCCHESI: Commissioner
24 Perrault?

25 ACTING COMMISSIONER PERRAULT: Abstain, because

1 it's a legislative recommendation.

2 EXECUTIVE OFFICER LUCCHESI: Chair Cohen?

3 CHAIR COHEN: Aye.

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

6 CHAIR COHEN: Thank you very much. Now, we are
7 off to Item 66, is that right?

8 EXECUTIVE OFFICER LUCCHESI: Yes, that's right.

9 CHAIR COHEN: Okay. So Item 66 is an item to
10 consider approval of the cost study developed pursuant to
11 AB 2257. May we have the staff presentation.

12 Thank you.

13 (Slide presentation).

14 PETROLEUM RESERVOIR ENGINEER TAJER: Madam Chair,
15 Honorable members of the State Lands Commission, good
16 afternoon. Today's presentation provides a high level
17 summary of the findings of the final report on Assembly
18 Bill 2257 cost study related to active offshore oil and
19 gas leases in California.

20 Next slide, please.

21 [SLIDE CHANGE]

22 PETROLEUM RESERVOIR ENGINEER TAJER: On the
23 Chapter 692, statutes of 2022, AB 2257, the Commission
24 conducted a cost study to evaluate the fiscal impact of
25 ending 11 offshore oil and gas leases issued between 1940s

1 and 1960s. These leases, which lacked predetermined end
2 dates continue as long as production remains economically
3 viable. The purpose of this study is to provide a
4 comprehensive evaluation of the remaining value of these
5 leases and the financial implications of ending them.
6 This includes an assessment of unrealized revenues to the
7 State, the cost of buyback the leases from the lessees,
8 and the estimated expenses required for decommissioning
9 and restoring the lease areas. To comply with
10 environmental and regulatory standards, this study aims to
11 inform potential negotiations and decisions regarding the
12 future of these leases.

13 Next slide, please.

14 [SLIDE CHANGE]

15 PETROLEUM RESERVOIR ENGINEER TAJER: The
16 Commission retained expert consultants Netherland, Sewell
17 and Associates, Inc., NSAI, and TSB Offshore, Inc. to
18 perform detailed evaluation of the 11 offshore oil and gas
19 leases.

20 First, NSAI Conducted a detailed economic and
21 technical analysis of oil and gas production, including a
22 well by well valuation of few -- forecast future
23 production. The analysis also assessed non-producing
24 zones and undeveloped wells using lessee development plans
25 to project future oil and gas production. Second, NSAI

1 estimated future revenues and profits for lessees and
2 royalties for State providing a comprehensive financial
3 outlook for the leases. Finally, TSB evaluated
4 decommissioning costs estimating expenses for well plug
5 and abandonment, infrastructure removal, and environmental
6 restoration, with considerations for both lessee and
7 Commission managed centers.

8 Next slide.

9 [SLIDE CHANGE]

10 PETROLEUM RESERVOIR ENGINEER TAJER: So there are
11 11 producing oil and gas leases in the State waters
12 including three producing platforms, Esther, Eva, and
13 Emmy. These 11 offshore leases have been categorized into
14 five lease areas for the purpose of the cost study. Each
15 lease area represent a distinct area of operation that can
16 be considered as a unit, due to common infrastructure and
17 ownership interest. So the names aren't listed here.

18 Next slide, please

19 [SLIDE CHANGE]

20 PETROLEUM RESERVOIR ENGINEER TAJER: So this
21 slide provides an overview of the financial highlights of
22 the 11 offshore oil and gas leases combined. State has
23 earned 1.34 billion in cumulative royalties and rents from
24 these leases. Depending on the lease area, operations are
25 projected to continue for another 15 to 28 years. This

1 study estimates the State could lose 380.54 million in
2 additional revenues on an -- on discounted basis. When
3 discounted at 10 percent annual rate, to account for time
4 value of the money, the net present value ask \$197.37
5 million.

6 For the lessees, the future gross revenues are
7 projected to total \$1.4 billion with profits estimated at
8 425 million undiscounted. When discounted at 10 percent,
9 lessee's net present value of their profits are \$248
10 million. The cost of the decommissioning wells,
11 facilities and restoring the environment is estimated at
12 \$287 million.

13 Next slide, please.

14 [SLIDE CHANGE]

15 PETROLEUM RESERVOIR ENGINEER TAJER: The report
16 recommends that the Legislature consider the data analysis
17 in the cost study in addition to other factors, including
18 but not limited to, impacts to local communities, public
19 health and safety, the marine environment, job
20 displacement and State budget priorities and whether to
21 direct the Commission to engage in negotiations for
22 voluntary relinquishment of the 11 oil and gas leases
23 provided Commission has appropriated adequate funding to
24 support these negotiations and implementation of any
25 agreement we wish.

1 Next slide, please.

2 [SLIDE CHANGE]

3 PETROLEUM RESERVOIR ENGINEER TAJER: So this
4 concludes my presentation. I'll be happy to answer any
5 questions.

6 CHAIR COHEN: Thank you very much. What was your
7 name?

8 PETROLEUM RESERVOIR ENGINEER TAJER: My name is
9 Ehsan Tajer.

10 CHAIR COHEN: Ehsan. Thank you. I appreciate
11 that. We're going to go ahead and take public comment on
12 this presentation that you've made. Thank you. Is there
13 any member of the public that would like to speak on this
14 item. You have one minute. Anyone in this room?

15 Okay. Let's pivot to see if there's anyone
16 online.

17 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
18 Thank you, Madam Chair. We have no online.

19 CHAIR COHEN: No one online.

20 Cadiz just took all the oxygen in the room.
21 People just left. No one else cares. Well, I care. This
22 presentation is actually really interesting. It's the
23 kind of information that I like to see, right? There's
24 numbers, there's dollars, there's fiscal impacts to
25 taxpayers. This is the kind of concrete data that we

1 should be utilizing in order -- so that we're making
2 informed decisions.

3 What the report doesn't explicitly include are
4 the market and non-market values of pollution impacts from
5 oil and gas operations, which disproportionately impact
6 historic -- historically excluded communities or a -- it's
7 also lacking in -- you know what, let me change my
8 terminology. I would have liked to have seen a little bit
9 more of, because you did a good -- the report is good.
10 It's just the long-term economic impacts of climate change
11 and the cost of adaptation that's growing every single
12 day. That's what I think we also should be highlighting
13 and constantly talking about, as we continue to -- as a
14 result of us continually to burn fossil fuels. This is
15 the State Lands Commission. We should always be making a
16 point to say something -- to say more, not less.

17 I think also the report did a good job
18 highlighting the economic impact incurred from all oil
19 spills. When businesses and beaches are shuttered, that
20 impact also should be documented. We also know that
21 medium to large oil spills historically have caused
22 billions of dollars in loss. So I can go on, and on, and
23 on, but the report itself -- the data is excellent. I do
24 hope people read it maybe over the holiday vacation, curl
25 up, cup of tea, get your report out.

1 So I just want to thank the staff and the
2 consulting team and also a good friend and colleague of
3 mine, Tasha Boerner, Assemblywoman Boerner for authoring
4 the important legislation. And I also want to just call
5 into the forefront of everyone's mind that former State
6 Controller Betty Yee, who used to sit on this body, she
7 was also a sponsor of the legislation. So this is just
8 paying respect to the women that are doing an excellent
9 job, and mothering our earth.

10 Thank you. That's all I have today on this item.

11 More to come. Okay. Let's see -- oh, you want
12 to talk? Light it up.

13 ACTING COMMISSIONER DUMLAO: A couple quick
14 comments.

15 CHAIR COHEN: Go ahead.

16 ACTING COMMISSIONER DUMLAO: I just want to,
17 yeah, thank the Commission for finalizing this report.
18 You know, a few years ago, there were a lot of
19 conversations about voluntarily relinquishing these
20 leases. And we were all operating in a information
21 deficit situation. And now, we actually have some hard
22 numbers to inform these conversations. And I completely
23 agree with our Controller that, you know, we need to put
24 this in the larger context. This is not just about, you
25 know, these particular leases. We're also talking about

1 the fossil fuels are extracted and the impact burning them
2 has on our environment, not to mention, you know, oil
3 spills and things that we just know are, in many ways, of
4 matter of time.

5 So thank you very much Commission and Commission
6 staff are finalizing this report and I do hope that folks
7 in the Legislature take a very serious look at all the
8 information presented.

9 Thank you.

10 CHAIR COHEN: Yes. Yes.

11 Commissioner.

12 ACTING COMMISSIONER PERRAULT: Just real quick,
13 yes. I would echo the comments by my fellow Commissioners
14 and wanted to thank you for the very thorough report. You
15 know, I think this is -- this is good information. As the
16 representative from the Department of Finance, we also
17 appreciate when you include some dollars and cents in
18 there. And obviously, this is something that is a high
19 priority for the administration.

20 I just want to note I'll be abstaining from the
21 item, not because of any of the content necessarily, but
22 because it has a legislative policy nexus, and we abstain
23 from all of those. So I don't want folks to be surprised,
24 but wanted to thank you for the good work. It's great
25 information and appreciate the recommendations.

1 CHAIR COHEN: I sit on several boards and
2 commissions with this lady and I always tease her. She
3 never likes to get her hands dirty with the legislation.

4 (Laughter).

5 CHAIR COHEN: That is so beneath her. She needs
6 to stay above as a representative of the Department of
7 Finance.

8 Okay. Friends, listen, I've got to go. I have
9 other work to do. I love you. I hope you have a
10 wonderful holiday. Jennifer, you've been incredible to
11 work with. I will be back next year to continue to
12 provide comedic relief. However, I will not be the Chair.
13 The Lieutenant Governor will then become the Chair. So I
14 hope to see all of you. Please stay engaged.

15 EXECUTIVE OFFICER LUCCHESI: Can I get you to
16 move -- call for a motion first before you leave.

17 CHAIR COHEN: Oh. I'll make a motion.
18 Absolutely. I would love to. I think a motion has
19 already been made.

20 Is there a motion?

21 ACTING COMMISSIONER DURLAO: I'll make that
22 motion to move as described in the staff report.

23 CHAIR COHEN: Thank you. And I will second that
24 motion, and let's call the roll.

25 EXECUTIVE OFFICER LUCCHESI: Sounds perfect.

1 Thank you.

2 Commissioner Dumlao?

3 ACTING COMMISSIONER DURLAO: Aye.

4 EXECUTIVE OFFICER LUCCHESI: Commissioner
5 Perrault.

6 ACTING COMMISSIONER PERRAULT: Abstain.

7 EXECUTIVE OFFICER LUCCHESI: Chair Cohen?

8 CHAIR COHEN: Aye.

9 EXECUTIVE OFFICER LUCCHESI: Excellent. The
10 motion passes, two to zero with one abstention.

11 CHAIR COHEN: Thank you. All right, as I was
12 saying, I'm leaving everyone.

13 (Laughter).

14 CHAIR COHEN: Goodbye.

15 EXECUTIVE OFFICER LUCCHESI: If it pleases the
16 Commission, we can take a five-minute break right now.

17 CHAIR COHEN: Five minute break.

18 (Off record: 3:16 p.m.)

19 (Thereupon a recess was taken.)

20 (On record: 3:23 p.m.)

21 ACTING CHAIR KUNKEL: I'm calling this meeting
22 back to order. I am Deputy Controller Kristina Kunkel
23 sitting in for Controller Cohen, and we are on Item 63, is
24 that correct, Ms. Lucchesi?

25 EXECUTIVE OFFICER LUCCHESI: That is correct,

1 yes.

2 ACTING CHAIR KUNKEL: And Item 63 is to consider
3 supporting the border quality -- Border Water Quality
4 Restoration and Protection Act of 2024. May we have the
5 staff presentation.

6 EXECUTIVE OFFICER LUCCHESI: And real quick
7 before Sheri starts her presentation, I do just want to
8 explain the voting rules now that both Constitutional
9 Officers are represented by alternates. So under the
10 Government Code when both Constitutional officers on the
11 State Lands Commission are represented by their
12 alternates, only one may vote on any given item. And the
13 Department of Finance can always vote. So, we still have
14 a quorum. We just have to follow those voting rules.

15 Thank you.

16 ACTING CHAIR KUNKEL: Thank you.

17 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: All
18 right. Thank you, Madam Chair and Commissioners. This
19 item recommends that the Commission support the Border
20 Water Quality Restoration Prevention Act of 2024 by
21 Representatives Peters and Vargas and Senator Padilla.
22 This bill would designate the U.S. EPA as the lead agency
23 to coordinate all federal, State, local and tribal
24 agencies to build and maintain infrastructure projects to
25 reduce pollution along the border. It would also create a

1 geographic program, also under the U.S. EPA, to plan and
2 implement water quality restoration and protection
3 activities, and require the U.S. EPA to develop an action
4 plan and prioritize projects in conjunction with
5 stakeholder input for water restoration projects to
6 improve the Tijuana River Valley watershed.

7 As we all know, the Tijuana River watershed is in
8 the midst of an environmental crisis, as stormwater flows
9 from the upper watershed originating in Tijuana and
10 carries pollutants, like bacteria, trash and sediment that
11 severely affect water quality. In just the last five
12 years, more than a hundred billion gallons of toxic
13 sewage, trash and unmanaged stormwater have flowed across
14 the border into Tijuana River and into the Tijuana River
15 Valley and neighboring communities, closing beaches and
16 harming water quality, public health and the environment,
17 and disproportionately affecting communities near the San
18 Diego southern border for decades.

19 This bill would bolster the resources for the
20 U.S. EPA and the International Boundary and Water
21 Commission to repair, rehabilitate and expand the South
22 Bay International Wastewater Treatment Plant and other
23 priority projects, based on collaboration and stakeholder
24 input. It's based on recommendations from the 2020
25 Government Accountability Office report and is kind of a

1 whole-of-government approach.

2 And staff recommends that the Commission adopt a
3 support position on this legislation.

4 CHAIR COHEN: Thank you so much.

5 Katie, do we have any public comment for this
6 item?

7 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

8 At this time, we have no public speakers for this
9 item.

10 ACTING CHAIR KUNKEL: Commissioners, any comments
11 or questions?

12 I have some brief comments just on behalf of
13 Controller Cohen. We all know what an environmental and
14 social justice disaster this is right here in our own
15 state. So thank you so staff for bringing this before the
16 Commission so quickly for the quick turnaround. And we
17 just want to thank the Biden Administration for the recent
18 funding request to Congress.

19 Prop 4 passed in November and set aside \$50
20 million for the Tijuana River and this is nowhere near
21 enough, as we know. CNRA is currently hard at work with
22 the administration, assigning the unallocated Prop 4
23 funding. At last week's OPC meeting, Controller Cohen
24 personally requested of Secretary Crowfoot that he
25 consider additional Tijuana River funding be included for

1 those unallocated funding discussions. We just need all
2 hands on deck. So I really appreciate all of you.

3 Do I have a motion?

4 ACTING COMMISSIONER PERRAULT: So moved.

5 ACTING CHAIR KUNKEL: And I'll second.

6 EXECUTIVE OFFICER LUCCHESI: I'll do a roll call
7 vote.

8 Commissioner Perrault?

9 ACTING COMMISSIONER PERRAULT: Aye.

10 EXECUTIVE OFFICER LUCCHESI: Commissioner Dumlao?

11 ACTING COMMISSIONER DURLAO: Abstain.

12 EXECUTIVE OFFICER LUCCHESI: Chair Kunkel?

13 ACTING CHAIR KUNKEL: Aye.

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

16 ACTING CHAIR KUNKEL: The next item is Item 64 to
17 authorize staff to send the recommended letter to the
18 federal administration relating to the transboundary
19 pollution crises in the Tijuana River Valley. May we have
20 the staff presentation?

21 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

22 Thank you, Commissioners. My name is Katie
23 Robinson-Filipp, and I'm a Senior Environmental Scientist
24 on the climate adaptation and special initiatives team.
25 During the October 17th Commission meeting, the Commission

1 directed staff to prepare a draft letter to the federal
2 administration, emphasizing the need to address the
3 transboundary pollution crisis quickly and as
4 comprehensively as possible. Today, I am happy to present
5 a draft letter for the Commission's consideration.

6 Since staff's last update at the October
7 Commission meeting, I also want to recognize that as of a
8 few hours ago, USIBWC announced that the South Bay
9 International Water Treatment Plant is in compliance with
10 the secondary treatment effluent standards. And then I
11 also wanted to recognize that work on the construction
12 planning has begun to expand the plant's treatment
13 capacity.

14 Today, we're also able to celebrate the
15 installation of the Rural Community Assistance Center's
16 Tijuana River Trash Boom System, which is an important
17 demonstration project that will help inform later
18 permanent trash control infrastructure in the region.

19 Despite this progress, transboundary flows
20 continue to adversely affect the region's communities and
21 environment. The draft letter before you today highlights
22 how the polluted flows impair public health, threat to
23 national security, degrade the environment and impede
24 public access. Importantly, the letter applauds the
25 federal government's efforts to plan for, fund and

1 implement the USMCA Tijuana Mitigation Projects and the
2 Biden administration's efforts to request 310 million from
3 Congress through a disaster relief proposal to help fund
4 the South Bay treatment expansion.

5 At the same time, the letter emphasizes that to
6 fully address this crisis, there is dire need for
7 immediate and comprehensive action and funding. The
8 efforts underway to expand the South Bay Plant, while
9 critical, are expected to take up to five years and will
10 not fully address the transboundary flows. Meanwhile,
11 communities continue to suffer.

12 This letter requests that the federal
13 administration allocate and advocate for additional
14 funding to support the implementation of all the USMCA
15 mitigation of contaminated transboundary flows projects
16 2023 Record of Decision. It also asks the federal
17 administration to declare the crisis a national priority
18 and to further support engagement between federal and
19 regional partners.

20 The Tijuana River transboundary pollution crisis
21 is complex and multifaceted, but the 2023 Record of
22 Decision paired with State and regional efforts provides a
23 solutions-oriented pathway forward. With increased
24 funding and coordination, we can advance a comprehensive
25 solution to improve environmental and public health

1 outcomes for the Tijuana River Valley. That concludes my
2 overview of the draft letter.

3 Staff recommend that the Commission authorize
4 staff to send the letter substantially in the form
5 attached as Exhibit A to the Biden administration and the
6 President-elect Trump administration emphasizing the need
7 to address the transboundary pollution crisis as quickly
8 and comprehensively as possible. Thank you and I'm happy
9 to respond to any questions.

10 ACTING CHAIR KUNKEL: Thank you so much, Katie.
11 And just thank you for your overall hard work on this
12 specific issue in the Tijuana Valley. Really appreciate
13 you.

14 Grace, do we have any public comments?

15 ASSISTANT EXECUTIVE OFFICER KATO: We do not have
16 any public comment on this item.

17 ACTING CHAIR KUNKEL: Any questions from --
18 comments from Commissioners?

19 ACTING COMMISSIONER DURLAO: Just a quick
20 comment. Thank you very much for a very thorough letter,
21 that I think really hit all of the aspects of this crisis,
22 from the public health to the national security
23 implications. It's -- it was very well written. You
24 know, we need to continue this advocacy and we -- you
25 know, yeah, we need to just put the pedal to the metal

1 when it comes to addressing this crisis. So hopefully,
2 our new administration coming in January will make this a
3 priority and the extent to which the current
4 administration can also prioritize that on -- in its
5 waning days, would be greatly appreciated.

6 So, yeah, thank you very much for the letter and
7 I will be make -- I guess I can make a motion to send the
8 letter as described in the staff report.

9 ACTING CHAIR KUNKEL: Great.

10 ACTING COMMISSIONER PERRAULT: Second.

11 EXECUTIVE OFFICER LUCCHESI: I will call the roll
12 call vote.

13 Commissioner Dumlao?

14 ACTING COMMISSIONER DUMLAO: Aye.

15 EXECUTIVE OFFICER LUCCHESI: Commissioner
16 Perrault?

17 ACTING COMMISSIONER PERRAULT: Aye.

18 EXECUTIVE OFFICER LUCCHESI: Chair Kunkel?

19 ACTING CHAIR KUNKEL: Abstain.

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

22 ACTING CHAIR KUNKEL: Okay. So moving on to Item
23 68, is that correct?

24 EXECUTIVE OFFICER LUCCHESI: That's correct.

25 ACTING CHAIR KUNKEL: Item 68 is to consider

1 authorizing the Executive Officer or designee to enter
2 into a memorandum of understanding with the Port of Long
3 Beach and the Humboldt Harbor Recreation and Conservation
4 District. May we have the staff presentation, Sheri?

5 (Slide presentation).

6 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Yes.
7 Thank you, Commissioners. I believe there's a
8 PowerPoint -- brief PowerPoint. There we go.

9 Next slide, please.

10 [SLIDE CHANGE]

11 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON:

12 That's just our introduction.

13 This item recommends that the Commission
14 authorize the Executive Officer to enter into a Memorandum
15 of Understanding with the Port of Long Beach and the
16 Humboldt bay Harbor Recreation and Conservation District
17 on a collaboration and communication to support staging
18 and integration sites to support offshore wind energy.

19 Just as brief background, the State Lands
20 Commission is the CEQA lead for offshore wind energy
21 projects and a key State agency involved in the role of
22 ports and offshore wind energy. The ports of Long Beach
23 and Humboldt both have deep navigation channels that can
24 support staging and integration sites.

25 Next slide, please.

1 [SLIDE CHANGE]

2 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: So
3 staging and integration sites. We kind of call it putting
4 the pieces together. It's sites where offshore wind
5 components are received, staged, stored and built, so
6 where the floating turbines, like massive, massive pieces
7 of infrastructure are built and then towed to installation
8 sites. These are critical and offshore wind energy in
9 California can't happen without them.

10 Next slide, please.

11 [SLIDE CHANGE]

12 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: So
13 there are two proposed staging and integration site
14 projects. One is at the Port of Long Beach, the Pier Wind
15 Project, a 400-acre staging and integration site in the
16 outer harbor, and then in Humboldt, the Heavy Lift Marine
17 Terminal Project, about half the size, 180-acre site in
18 Humboldt Bay that would be the first floating offshore
19 wind port terminal in the western hemisphere.

20 Next slide, please.

21 [SLIDE CHANGE]

22 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: So
23 the purpose of the Memorandum of Understanding is for the
24 three parties to commit to coordinate and collaborate on
25 these sites to support the responsible, equitable and

1 sustainable development of offshore wind in California.
2 There's 11 collaboration and communication areas ranging
3 from green port strategies, consultation with Native
4 American tribes, community engagement, environmental
5 justice, data knowledge and sharing and so forth.

6 Next slide, please.

7 [SLIDE CHANGE]

8 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Just
9 to give you a little context, as everyone knows,
10 California has really ambitious renewable energy goals,
11 including achieving a hundred percent clean energy by
12 2045. And offshore wind energy is an abundant source of
13 renewable domestic energy off the coast. And the
14 successful development of offshore wind energy requires
15 strong partnerships, close collaboration, tribal
16 consultation, robust public engagement, and a
17 whole-of-government approach.

18 And in recognition of this need, Commission staff
19 and the port staffs propose entering, into this MOU to
20 coordinate and collaboration on staging and integration
21 site development.

22 Next slide, please.

23 [SLIDE CHANGE]

24 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: A few
25 of the benefits of the MOU are that it memorializes the

1 importance of these stite -- of these sites, as part of
2 California's offshore wind energy development to
3 transition away from fossil fuels. And it memorializes
4 the foundational elements necessary for this to happen:
5 the environment, equity, meaningful public engagement and
6 tribal collabor -- tribal consultation, and the economy,
7 just to name a few.

8 It's also an opportunity for the Commission and
9 the ports to harness their leadership and commitment to
10 these goals.

11 Next slide, please.

12 [SLIDE CHANGE]

13 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: I
14 just also wanted to note that staff, as it was bringing
15 this MOU together to the Commission contacted
16 environmental justice organizations and tribal nations to
17 request feedback. And we've updated the MOU as much as we
18 can to incorporate their feedback and strengthen the MOU.

19 Next slide, please.

20 [SLIDE CHANGE]

21 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: The
22 Port of Long Beach approved the MOU on December 9th, the
23 Harbor District approved it on December 12th, and, of
24 course, it's before the Commission for consideration
25 today. If approved, it's a five-year term with the option

1 to extend by mutual agreement. So staff recommends that
2 the Commission authorize the Executive Officer to enter
3 into this Memorandum of Understanding, and I'm happy to
4 answer any questions.

5 ACTING CHAIR KUNKEL: Thank you. Katie, do we
6 have any public comments for this item?

7 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
8 Yes, we do.

9 ACTING CHAIR KUNKEL: Fantastic.

10 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
11 For our first public commenter, we have Molly
12 Croll.

13 ACTING CHAIR KUNKEL: And we'll continue with one
14 minute per public commenter. Thanks so much.

15 MOLLY CROLL: Sure. Good afternoon,
16 Commissioners. Hello staff. My name is Molly Croll. I'm
17 the Pacific Director of offshore wind for American Clean
18 Power Association. We represent the five offshore wind
19 leaseholders that will be developing the first offshore
20 wind projects in California with the potential to provide
21 10 gigawatts of clean energy in the next decades.

22 I'd like to offer my support for the MOU between
23 the State Lands Commission, the Harbor District and the
24 Port of Long Beach. ACP has been advocating for State
25 support for and attention to the Port of Long Beach and

1 Humboldt Harbor District as the most advanced optimal
2 ports for construction of staging an integration facility
3 to support the offshore wind industry.

4 These facilities will be a hundred percent
5 essential and are therefore the most important port
6 facilities for the State's focused attention. The MOU
7 reflects the special importance, as well as the leadership
8 role of the State Lands Commission in offshore wind
9 permitting and planning. The Port of Long Beach and the
10 Humboldt Harbor District have been innovators and leaders
11 in the industry advancing design, permitting, and
12 stakeholder outreach on their own initiative in order to
13 achieve time lines that accommodate offshore wind
14 development and the State's offshore wind goals.

15 I'll wrap up because I'm at time. Thank you to
16 the State Lands Commission as well as leadership of the
17 Harbor District and Port of Long Beach for their
18 commitment as memorialized in this MOU.

19 ACTING CHAIR KUNKEL: Thank you.

20 Our next speaker is the Cory Bullis followed by
21 Fernando David Marquez Duarte.

22 CORY BULLIS: Good afternoon. Cory Bullis on
23 behalf of Invenergy here in support of Item 68. Invenergy
24 is one of the largest privately owned clean energy
25 developers headquartered in the U.S. We are also a

1 leaseholder that are currently developing the Even Keel
2 Wind Project off of the central coast of California.

3 I'll keep my comments succinct here by saying
4 we'd like to align our comments with Ms. Croll.

5 Thank you.

6 ACTING CHAIR KUNKEL: Thank you. Really
7 appreciate the short comments. Also, appreciate if you
8 have more to say. That's okay too.

9 (Laughter).

10 ACTING CHAIR KUNKEL: Thanks, Katie.

11 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
12 And thank you.

13 Before we go to Fernando, I'd actually like to
14 call on Dan Jacob -- Jacobsen, please.

15 DAN JACOBSEN: Thank you so much for calling me
16 out of turn, and I apologize that I wasn't able to sign
17 up on that form. But my name is Dan Jacobsen. I'm the
18 Senior Advisor Environment California and have been
19 working for a number of years on offshore wind.

20 I want to congratulate the two ports and the
21 State Lands Commission for really working on this MOU.
22 We're here ultimately because of climate change. Climate
23 change is happening. It's happening in California. It's
24 impacting us and we have to deal with it. And one of the
25 best ways that we can deal with it is making our energy as

1 clean as we can as fast as we can. And the State experts
2 have looked at this and they come back again and again and
3 say offshore wind is one of the best ways that we can do
4 that. But in order to do offshore wind, we have to have
5 the ports. And the first ports that we need are staging
6 and integration. And the two ports that we need are
7 Humboldt and Long Beach. So this agreement to share
8 information, to work with stakeholders, to get all the
9 concerns that they had in advance to make edits and
10 amendments to that, I think that's so important and it's
11 such the right process that you want to go through. I'll
12 shut up and say thank you very much.

13 It's a pleasure.

14 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

15 Thank you.

16 And our next speaker is joining us virtually.
17 Fernando, you should be able to unmute yourself.

18 FERNANDO DAVID MARQUEZ DUARTE: Yes. Can you
19 hear me?

20 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

21 Yes, we can hear you. Thank you.

22 FERNANDO DAVID MARQUEZ DUARTE: Thank you.

23 My name is Fernando Marquez. I'm a policy
24 researcher with the People's Collective for Environmental
25 Justice. And I'm also a member of the Impact Project.

1 And so I want to ask the Commission to amend this
2 MOU. We consider that this MOU doesn't consider -- hasn't
3 really collaborated enough with tribal nation leadership
4 and the impacts that they will have on this nation. And
5 we want this MOU to also include our robust environmental
6 review to identify and prevent environmental harms and
7 health hazards, and that this MOU includes a clause that
8 demands the removal of fossil fuel infrastructure and the
9 demand developing of fewer emission mandates.

10 I agree that offshore wind it's a necessity, but
11 this shouldn't be a blank check. It has to be done well.

12 Thank you.

13 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

14 Thank you.

15 Our next speaker is Jamal Jackson followed by Amy
16 Jester.

17 JAMAL JACKSON: Good afternoon. I'm an attorney
18 with NRDC, and I'm a member of the Impact Project
19 coalition. I'm calling in to weigh in on the draft MOU
20 developed with the Humboldt Bay Harbor Recreation and
21 Conservation District and the Port of Long Beach.

22 Though we appreciate the updates the Commission
23 made to the draft MOU in response to a joint comment
24 letter we submitted last month, the current MOU still does
25 not go far enough to protect the community health and

1 safety. It lacks strong safeguards to prevent increases
2 in pollution associated with the proposed offshore wind
3 developments and port expansion projects. The particulate
4 matter and ozone from these ports causes increases in
5 hospitalizations and premature death from respiratory
6 complications.

7 The current MOU misses the opportunity to
8 incentivize Humboldt and Long Beach to invest in
9 zero-emission vehicles and equipment to decrease diesel
10 emissions. Also, the MOU fails to ensure Long Beach and
11 Humboldt promote local hire programs to ensure front-line
12 communities are given opportunities for jobs associated
13 with offshore wind. I urge SLC to amend the final MOU to
14 ensure public health and local jobs are acknowledged and
15 prioritized through clear measurable goals integrated into
16 projects permitting process.

17 Thank you for considering our comments.

18 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

19 Thank you.

20 Our next speaker is Amy Jester followed by Sylvia
21 van Royen.

22 AMY JESTER: Hi. My name is Amy Jester, and I'm
23 here representing the Redwood Region Climate and Community
24 Resilience Hub. We appreciate the collaborative
25 commitment across the state to innovate in community

1 participation and leadership, tribal consultation,
2 emissions reductions, and the prevention of missing and
3 murdered indigenous peoples and sex trafficking. There
4 are several ways the CORE Hub would like to have seen the
5 MOU strengthened and hope the Commission will consider
6 adopting the things that I'm about to say.

7 We'd like to have seen an explicit commitment to
8 advancing enforceable zero-emissions mandates as well as
9 collaborating on water quality and reducing noise
10 pollution. In addition to community benefits programs,
11 we'd like to see the MOU include community agreements.
12 Given the industrial history of legacies of pollution in
13 both locations, we are disappointed that the MOU did not
14 include a commitment to life-cycle analysis and effective
15 decommissioning strategies.

16 And finally, it's great that Governor Newsom's
17 statement of administration policy on Native American
18 ancestral lands is referenced in the MOU. However, the
19 Port wind projects are an excellent opportunity for State
20 Lands to work with the Humboldt Bay Harbor District and
21 Port of Long Beach to advance the intent of AB 1284 and
22 collaborate on tribal co-management strategies.

23 Thank you to the Board and staff for your
24 leadership and consideration.

25 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

1 Thank you.

2 Our next speaker is Sylvia van Royen followed by
3 Julia Chunn-Heer.

4 SYLVIA VAN ROYEN: Hello. Can you hear me?

5 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:
6 We can hear you.

7 SYLVIA VAN ROYEN: All right. Hello. My name is
8 Sylvia van Royen. I am Humboldt Waterkeeper's GIS and
9 Policy Analyst. I am speaking on behalf of Humboldt
10 Waterkeeper.

11 We commend the State Lands Commission, Humboldt
12 Harbor District, and Port of Long Beach for their
13 commitment to meaningful community engagement, a green
14 port strategy, and a site-specific permitting approach
15 within this MOU. We truly appreciate the emphasis on the
16 importance of designing an electrified zero-emissions
17 project in Humboldt since the terminal will need to be
18 built entirely new. We also support the request for State
19 Lands Commission to take on the role of lead agency for
20 CEQA analysis. We believe that acting as lead agency, the
21 SLC could bring capacity for community engagement and
22 enhance the Harbor District's current efforts.

23 Finally, the MOU has a theme of data sharing, but
24 to further enhance transparency, we would like to see a
25 commitment to sharing data and information directly with

1 the public. We believe this would directly benefit the
2 public's engagement in outreach and planning and this
3 could be done through an existing data hub, such as the
4 California Offshore Wind Energy Gateway hosted by Data
5 Basin.

6 Thank you.

7 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

8 Thank you.

9 Our next speaker is Julia Chunn-Heer followed by
10 Cristhian Tapia-Delgado.

11 JULIA CHUNN-HEER: Good afternoon. I'm Julia
12 Chunn-Heer representing the California Coastal Protection
13 Network. We support the staff and the comments from
14 Impact Project and CORE Hub and would like to see the MOU
15 reflect the sentiments captured in the staff report. CCPN
16 stresses the need to address life-cycle analysis and
17 decommissioning in the MOU, and a strong zero-emissions
18 mandate for construction, maintenance, and operation of
19 offshore wind staging and integration facilities, lastly,
20 robust environmental review with the State Lands
21 Commission as the CEQA lead. We would like to see a
22 commitment to transparency regarding monitoring results
23 and mitigation plans as this process continues.

24 Thank you for your time and attention today.

25 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

1 Thank you.

2 Our next speaker is Cristhian Tapia-Delgado
3 followed by Julia Dowell.

4 CRISTHIAN TAPIA-DELGADO: Hello. My name is
5 Cristhian Tapia-Delgado. I'm a Climate Campaigner with
6 Pacific Environment and a concerned Long Beach community
7 member.

8 First off, thank you to California State Lands
9 Commission staff for inviting Impact Project and CORE Hub
10 members to weigh in on the draft MOU between Long Beach
11 and Humboldt. Pacific Environment asks that the SLC amend
12 the MOU to clarify its commitments to strengthening
13 community and tribal nation leadership in port wind
14 projects, improve quality -- air quality in port
15 communities, and develop zero-emission mandates and remove
16 fossil fuel infrastructure.

17 Pure wind and offshore wind development will
18 increase ship and harbor traffic at the ports.
19 Surrounding communities are already overburdened with
20 cumulative impacts from the port and goods movement
21 operations. Ocean-going vessels and harbor craft are
22 among the top three sources of cancer-causing emissions at
23 the ports, and the Southern California region has failed
24 to meet federal clean air standards over two decades now.

25 Offshore wind development must be done with zero

1 emission and an assurance that air quality will not
2 further degrade. Thank you.

3 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

4 Thank you.

5 Our next speaker is Julia Dowell followed by
6 Vanessa Rivas Villanueva

7 JULIA DOWELL: Thank you. Hello. My name is
8 Julia Dowell. And I'm here today on behalf of the Sierra
9 Club and Impact Project. I would first like to thank the
10 Commission staff for inviting Impact Project and CORE Hub
11 members to review and weigh in on the draft MOU. Sierra
12 Club supports responsibly cited and equitably built
13 offshore wind. It is our hope and expectation that the
14 State Lands Commission will amend the final MOU in the
15 coming months to clarify its commitment to strengthening
16 community and tribal nation leadership in port wind
17 projects, improving air quality in port communities and
18 beyond, removing fossil fuel infrastructure, and
19 developing zero-emission mandates, and ensuring robust
20 environmental review to identify and prevent environmental
21 harms and health hazards. We look forward to working with
22 you and the ports to ensure that there are strong
23 zero-emission mandates for construction, maintenance and
24 operation of offshore wind, staging and immigration
25 facilities. And we also want to ensure that offshore wind

1 leads to the retirement of gas plants. We look forward to
2 continuing this work with you.

3 Thank you.

4 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

5 Thank you.

6 Our next speaker is Vanessa Rivas Villanueva
7 followed by Tyler Valdes.

8 VANESSA RIVAS VILLANUEVA: Hi. Good afternoon.
9 I'm Vanessa Rivas Villanueva with Earthjustice. And we're
10 also members of The Impact Project coalition. Thank you
11 to staff for engaging us in the review of the draft MOU.
12 The Long Beach and Humboldt ports are critical for the
13 next era of energy. And it is your responsibility to
14 ensure that investments and entrusted lands do not come at
15 the expense of people's health.

16 To paint the picture, Long Beach region has been
17 dealing with unprecedented growth. This morning, the Port
18 announced six straight months of historic volumes and is
19 expected to reach a record year of 9.6 million containers.
20 It is well known as Cristhian just shared that the region
21 has long failed to meet federal air quality standards.
22 People's lungs are paying the costs for increased freight
23 in the region. Given this context, we request for the
24 State Lands Commission to amend the MOU and
25 include enforceable zero-emission electric solutions in

1 order to address the air quality conditions currently
2 harming and killing community members.

3 Thank you.

4 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

5 Thank you.

6 Our next speaker is Tyler Valdes.

7 TYLER VALDES: Hi. Good afternoon, staff and
8 Commissioners. My name is Tyler Valdes, and I'm calling
9 on behalf of the California Environmental Justice
10 Alliance, or CEJA, and the Regenerate California coalition
11 in solidarity with CAUSE and South Oxnard residents. And
12 I join them in urging you to reject the lease amendment
13 extending the lease of -- the term of Lease 4196 for the
14 seawater intake and discharge conduits at the Ormond Beach
15 Generating Station. We're also asking the Commission to
16 please honor their goal of conducting a full environmental
17 justice analysis before considering any lease amendments
18 and to please hold your decision-making meeting for this
19 lease in the city of Oxnard. And last month, I had the
20 opportunity to visit South Oxnard and talk to community
21 members including the youth, and they made it really loud
22 and clear that they want the Ormond Beach Generating
23 Station shutdown now, as the State had promised them in
24 2020 and again in 2023. So please be the agency to get it
25 right and keep the promise to EJ communities in Oxnard and

1 reject the lease amendment for Lease 4196.

2 Thank you.

3 ACTING CHAIR KUNKEL: Thank you so much, Tyler,
4 for your comments. Just for the remaining public, this
5 is -- this period is for public comments on Item 68. And
6 we will have a -- an additional public comment period for
7 general public comment items not on the agenda following
8 this item. Thank you so much.

9 Katie, are there any additional speakers?

10 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

11 Thank you. We have no additional speakers signed
12 up for this item and no additional hands raised to speak
13 on this item.

14 ACTING CHAIR KUNKEL: Fantastic.

15 So first, I just want to say I, and the
16 Controller, deeply appreciate the environmental groups and
17 tribal governments and really everybody who provided
18 valuable comments on this MOU and thank you to staff for
19 incorporating many of these changes. There were a couple
20 different requests in the public comments today. I know
21 some of them I already saw included in the MOU. There was
22 a request for data sharing. I know we have section 2.11
23 related to data sharing. There are additional sections
24 that were added based on the comments provided. So
25 Jennifer, can you respond to the comments from public

1 today?

2 EXECUTIVE OFFICER LUCCHESI: Yeah, of course.
3 And I wanted to express my deep gratitude to CORE Hub, and
4 the Impact Project, and the tribal governments that have
5 engaged with us over the last couple of months on this
6 MOU. We did work really hard to incorporate a lot of the
7 suggestions and edits that they offered. And just as
8 background, they went so far as to even offer edits and
9 track changes, which is extremely helpful and it takes a
10 lot of work to do that. So they spent a lot of time and
11 we're thankful for that. At the end of the day, we
12 determined that some of the comments or suggestions I
13 should say, moved us in a space that was beyond our
14 jurisdiction and authority and outside the scope of an
15 MOU.

16 Now, that's not to say those comments and
17 suggestions aren't really important and legitimate and
18 value-added to the entire process, but this is the
19 beginning of the collaboration and the coordination, not
20 just with these two ports but with the communities that
21 have spoken today and others. And we anticipate
22 continuing that conversation, so we can incorporate their
23 perspectives and ideas in permit conditions in CEQA
24 analyses in project approvals by regulatory agencies and
25 these ports.

1 So that's a very long-winded way of saying this
2 is the beginning of the communication process. And I want
3 to make a shout-out to OPC Director Jenn Eckerle and her
4 team for stepping up and helping us facilitate regular
5 consistent meetings with the -- with CORE Hub, The Impact
6 Project and other stakeholders and communities once they
7 bring on a staff member to do that, so that we can have
8 those free-flowing communication lines open and we can
9 help move the ports in the right direction as they work
10 through their CEQA process for these staging and
11 integration sites.

12 Thank you.

13 ACTING CHAIR KUNKEL: Thank you so much for the
14 clarification. And as much as we'd like to have all the
15 power in the world to enact all the statewide policy that
16 we can, this body does not have that power. So, really
17 appreciate you. And does not have that capacity either.
18 I just want to recognize your staff. So this is a step
19 towards our clean energy future, just one step of many.

20 Do I have a motion?

21 ACTING COMMISSIONER PERRAULT: So moved.

22 ACTING CHAIR KUNKEL: And I'll second.

23 EXECUTIVE OFFICER LUCCHESI: Okay. I will do a
24 roll call vote.

25 Commissioner Perrault?

1 ACTING COMMISSIONER PERRAULT: Aye.

2 EXECUTIVE OFFICER LUCCHESI: Commissioner Dumlao?

3 ACTING COMMISSIONER DURLAO: Abstain.

4 EXECUTIVE OFFICER LUCCHESI: Chair Kunkel?

5 ACTING CHAIR KUNKEL: Yes.

6 EXECUTIVE OFFICER LUCCHESI: Motion passes two to
7 zero with one abstention.

8 ACTING CHAIR KUNKEL: Ms. Lucchesi, what is the
9 next order of business?

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

12 And as we're bringing up, if there's anybody that
13 does want to speak in the second public comment period, I
14 will just note that we logged Tyler's comment relating to
15 the lease amendment application for the Ormond Beach
16 Generating Station. That will be made part of the record
17 on our end, so he doesn't need to repeat those comments.

18 ACTING CHAIR KUNKEL: Fantastic. Thank you. So
19 if anyone wants to address the Commission on any matter
20 that is not on today's agenda, please come up to podium or
21 raise your Zoom hand. I will call on those who are in
22 person here first and next we will move on to those
23 joining us virtually.

24 Katie, please call on the first person who would
25 like to make a public comment.

1 SENIOR ENVIRONMENTAL SCIENTIST ROBINSON-FILIPP:

2 Thank you. We have no one signed up for this
3 second public comment, and we also have no hands raised as
4 well.

5 ACTING CHAIR KUNKEL: All right, then that
6 concludes our second public comment period. That was
7 easy.

8 EXECUTIVE OFFICER LUCCHESI: Yes.

9 ACTING CHAIR KUNKEL: Do any of the Commissioners
10 have any comments or questions?

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

12 EXECUTIVE OFFICER LUCCHESI: Our next order of
13 business is closed session. Regarding Item 62 on the
14 informational calendar, Government Code section 11126
15 subdivision (c)(7) allows a State body to discuss real
16 property negotiations in closed session provided that
17 before the closed session, the State body in open session
18 identifies the real property concerned, and the person or
19 persons with whom the negotiator may negotiate. In
20 accordance with this requirement, I announce that the
21 Commission will conference in closed session with its real
22 property negotiators regarding the following item. Item
23 62 addresses four applications for the assignment of
24 leases governing the use of existing offshore oil and gas
25 pipelines traversing State waters associated with the

1 Santa Ynez Unit in federal waters, including the Ellwood
2 Pier, two mooring buoys off -- and -- two mooring buoys
3 offshore Santa Barbara County. The negotiating parties
4 are the State Lands Commission, ExxonMobil and Sable
5 Offshore Corporation. Under negotiation is price and
6 terms.

7 Thank you.

8 ACTING CHAIR KUNKEL: And before we adjourn into
9 closed session, I am -- since Controller Cohen left me up
10 here, I guess I'm allowed to do whatever I want.

11 EXECUTIVE OFFICER LUCCHESI: Yes.

12 (Laughter).

13 ACTING CHAIR KUNKEL: And what I want to do is
14 personally thank you, Jennifer. The reason I'm sitting up
15 here at all is because you and Jennifer Mattox on your
16 team and Maren Farnum gave me an opportunity to be a Sea
17 Grant Fellow at the State Lands Commission in 2020. And I
18 am eternally grateful to you for your -- okay -- just for
19 your leadership. You are a role model. I am inspired by
20 you. It's been an honor to work alongside you and I
21 really wish you the best. Thank you so much.

22 EXECUTIVE OFFICER LUCCHESI: Thank you.

23 ACTING CHAIR KUNKEL: Okay. Now, we will adjourn
24 into closed session. Will the public please clear the
25 room? Thank you.

1 (Off record: 3:58 p.m.)

2 (Thereupon the meeting recessed
3 into closed session.)

4 (Thereupon the meeting reconvened
5 open session.)

6 (On record: 4:59 p.m.)

7 ACTING CHAIR KUNKEL: I call this meeting back to
8 order. Ms. Lucchesi, is there anything to report from
9 closed session?

10 EXECUTIVE OFFICER LUCCHESI: Yes. First,
11 consistent with Government Code section 11126 subdivision
12 (c)(7), the Commission met in closed session with its real
13 property negotiators regarding the assignment application
14 from ExxonMobil to Sable Offshore Corporation of four
15 leases that support the Santa Ynez unit offshore Santa
16 Barbara County. I will turn it Chief Counsel Blackmon to
17 report out the rest.

18 CHIEF COUNSEL BLACKMON: Thank you, Jennifer.
19 The Commission considered an offer of settlement by DCOR,
20 LLC in the suite title DCOR, LLC, a Texas Limited
21 Liability Company versus California State Lands Commission
22 et al. in the Superior Court of Sacramento County. After
23 reviewing that settlement proposal, that Commission has
24 rejected the offer from DCOR, but has authorized staff to
25 propose a counteroffer to DCOR on that same litigation.

1 Staff will pursue.

2 The second item that the Commission authorized
3 was an offer to settle the case Dezirae Cadena, et al.
4 versus the City of Parker Dam, et al. And the Commission
5 staff will work with the Deputy Attorney -- Deputy
6 Attorney General assigned to pursue that settlement offer.

7 That is all.

8 CHAIR COHEN: Thank you, Seth.

9 So that concludes the open meeting. Ms.
10 Lucchesi's very last meeting and Colin's. He's not even
11 here any more. He's out -- oh, he is.

12 (Laughter).

13 ACTING CHAIR KUNKEL: He's just hidden from
14 camera. So thank you again so much for your service,
15 Jennifer. Just appreciate you so much.

16 We are adjourned.

17 (Thereupon the California State Lands
18 Commission meeting adjourned at 5:00 p.m.)
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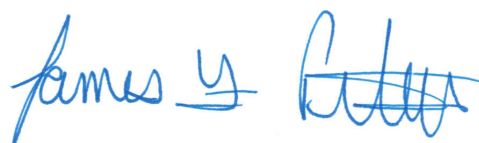
CERTIFICATE OF REPORTER

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 6th day of January, 2025.



JAMES F. PETERS, CSR
Certified Shorthand Reporter
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