COMMISSION MEMBERS:
Mr. Gavin Newsom, Lieutenant Governor, Chairperson, also represented by Mr. Chris Garland
Mr. John Chiang, State Controller, represented by Mr. Alan Gordon
Mr. Michael Cohen, Director of Finance, represented by Ms. Eraina Ortega

STAFF:
Ms. Jennifer Lucchesi, Executive Officer
Mr. Mark Meier, Chief Counsel
Ms. Jennifer DeLeon, Environmental Program Manager I, Division of Environmental Planning and Management
Mr. Joe Fabel, Staff Counsel
Ms. Mary Hays, Public Land Manager, Land Management Division
Ms. Sheri Pemberton, Chief, External Affairs Division
Ms. Marina Voskanian, Chief, Mineral Resources Management Division
Ms. Holly Wyer

ATTORNEY GENERAL:
Mr. Joe Rusconi, Deputy Attorney General

ALSO PRESENT:
Mr. Andrew Antwih, Pacific Merchant Shipping Association
Mr. Jeff Carothers, Fugro West, Inc.
APPEARANCES CONTINUED

ALSO PRESENT:

Mr. Gary DeMar, representing Betty Vranesh
Ms. Karen Garrison, Natural Resources Defense Council
Mr. Jim Grant, Fugro West, Inc.
Mr. Steve Greig, Venoco, Inc.
Mr. Aaron Riffenburgh Kirby, ORB
Ms. Alison Madden, San Francisco Bay Marinas for All
Mr. Brad Snook, Surfrider Foundation
Mr. Bill Toman Pacific, Marine Renewables
III EXECUTIVE OFFICER'S REPORT

Continuation of Rent Actions to be taken by the CSLC's Executive Officer pursuant to the Commission's Delegation of Authority:

- Pacific Gas and Electric Company (Lessee): Continuation of rent at $726 per year for a General Lease - Right-of-Way Use, located on State school land in Shasta and Trinity Counties (PRC 383.2).

- Pacific Gas and Electric Company (Lessee): Continuation of rent at $306 per year for a General Lease - Right-of-Way Use, located on State school land in Shasta County (PRC 5391.2).

- Broadwing Communications, LLC (Lessee): Continuation of rent at $651 per year for a General Lease - Right-of-Way Use, located on State school land in San Bernardino County (PRC 8047.2).

- Kern River Gas Transmission Company (Lessee): Continuation of rent at $3,384 per year for a General Lease - Right-of-Way Use, located on State school land in San Bernardino County (PRC 8411.2).

- Kern River Gas Transmission Company (Lessee): Continuation of rent at $3,826 per year for a General Lease - Right-of-Way Use, located on State school land in San Bernardino County (PRC 8412.2).
Ned and Mary Burgess, dba Salmon Harbor Resort (Lessees): Continuation of rent at $50 per year for a General Lease – Recreational Use, located on sovereign land in the Smith River, Del Norte County (PRC 1584.1).

George J. Vukasin and Sonja L. Vukasin, Trustees of the Vukasin Family Living Trust dated October 10, 1994 (Lessees): Continuation of rent at $1,085 per year for a General Lease – Recreational Use, located on sovereign land in Lake Tahoe, adjacent to 980 West Lake Boulevard, near Tahoe City, Placer County (PRC 7773.1).

William S. Beckham and Benita F. Beckham, as Trustees of the Beckham 2008 Living Trust; and Dennis R. Underwood and Gail A. Underwood, as Trustees of the Underwood 2008 Living Trust (Lessees): Continuation of rent at $257 per year for a General Lease – Recreational Use, located on sovereign land in Lake Tahoe, adjacent to 6035 North Lake Boulevard, near Tahoe Vista, Placer County (PRC 4360.1).

Cedar Flat Improvement Association, Inc. (Lessee): Continuation of rent at $725 per year for a General Lease – Recreational Use, located on sovereign land in Lake Tahoe, adjacent to 4370 North Lake Boulevard, near Carnelian Bay, Placer County (PRC 4173.1).

THE FOLLOWING ITEMS ARE CONSIDERED TO BE NON-CONTROVERSIAL AND ARE SUBJECT TO CHANGE AT ANY TIME UP TO THE DATE OF THE MEETING.
LAND MANAGEMENT DIVISION

NORTHERN REGION

C01 CHATEAUX DU LAC ASSOCIATION, INC. (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 709 Lakeview Avenue, near the city of South Lake Tahoe, El Dorado County; for an existing pier not previously authorized by the Commission. (W 26500; RA# 24112) (A 5; S 1) (Staff: G. Asimakopoulos)

C02 HERBERT L. DAMNER AND ARVILLE B. DAMNER, TRUSTEES OF THE HERBERT L. DAMNER AND ARVILLE B. DAMNER REVOCABLE TRUST U/D/T, DATED SEPTEMBER 25, 1998 (ASSIGNORS); JOHN R. GRIGSBY AND PATRICIA A. GRIGSBY, TRUSTEES OF THE JOHN R. GRIGSBY AND PATRICIA A. GRIGSBY REVOCABLE TRUST, DATED SEPTEMBER 24, 2003 (ASSIGNEES): Consider application for the assignment of Lease No. PRC 7459.9, a Recreational Pier Lease, of sovereign land located in Lake Tahoe, adjacent to 36 Moana Circle, near Homewood, Placer County; for an existing pier and two mooring buoys. (PRC 7459.9; RA# 29512) (A 1; S 1) (Staff: G. Asimakopoulos)

C03 MARY V. INGRAM AND DAVID M. INGRAM (APPLICANTS): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 7045 Garden Highway, near the city of Sacramento, Sacramento County; for existing bank protection previously authorized by the Commission, and an existing uncovered single-berth floating boat dock with boat lift, gangway, dolphin, and two pilings not previously authorized by the Commission. (PRC 5523.1; RA# 29012) (A 7; S 6) (Staff: G. Asimakopoulos)
C04  COLIN BOONE ARNOLD AND VICTORIA LYNN ARNOLD, TRUSTEES OF THE ARNOLD FAMILY REVOCABLE TRUST, DATED AUGUST 23, 1994 (APPLICANTS): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 2915 Garden Highway, near the city of Sacramento, Sacramento County; for an existing floating boat dock, gangway, debris deflector, two steel pilings, and bank protection. (PRC 6064.1; RA# 32312) (A 7; S 6) (Staff: G. Asimakopoulos)

C05  COLIN BOONE ARNOLD AND VICTORIA LYNN ARNOLD, TRUSTEES OF THE ARNOLD FAMILY REVOCABLE TRUST, DATED AUGUST 23, 1994 (APPLICANTS): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 2851 Garden Highway, near the city of Sacramento, Sacramento County; for an existing single-berth floating boat dock, gangway, five steel pilings, and bank protection previously authorized by the Commission, and an existing cover over the dock, two boat lifts, personal watercraft lift, storage shed, and electric and water utility outlets not previously authorized by the Commission. (PRC 7231.1; RA# 32412) (A 7; S 6) (Staff: G. Asimakopoulos)

C06  BRIAN J. MCCULLOUGH (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Donner Lake, adjacent to 14976 South Shore Drive, near the town of Truckee, Nevada County; for the reconstruction, use, and maintenance of an existing pier not previously authorized by the Commission. (W 8670.67; RA# 35812) (A 1; S 1) (Staff: G. Asimakopoulos)

C07  JAMES M. TALCOTT AND PATRICIA DYKEMA, TRUSTEES OF THE JAMES M. TALCOTT REVOCABLE TRUST, DATED MARCH 16, 2006 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in the Napa River, adjacent to 1576 Milton Road, near the city of Napa, Napa County; for an existing uncovered floating boat dock, pier, walkway, gangway, and two pilings. (PRC 7214.1; RA# 25612) (A 7; S 2) (Staff: R. Boggiano)
C08 OLYMPIA OF VALLEJO, LLC (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign land located in White Slough, adjacent to Assessor’s Parcel Number 0051-250-220, near the city of Vallejo, Solano County; for an existing tidewall and bank protection. (PRC 7728.9; RA# 18712) (A 7; S 2) (Staff: R. Boggiano)

C09 ARNOLD G. HUNN AND SANDRA A. HUNN, AS TRUSTEES OF THE HUNN FAMILY REVOCABLE TRUST, ESTABLISHED SEPTEMBER 2, 2005 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 10595 Bryne Avenue, near Los Molinas, Tehama County; for an existing uncovered floating boat dock and two anchoring cables attached to deadmen on the upland. (PRC 4782.1; RA# 15012) (A 4; S 2) (Staff: R. Boggiano)

C10 MATTHEW A. YOUNG AND PAMELA T. YOUNG (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in the Napa River, adjacent to 1308 Milton Road, near the city of Napa, Napa County; for an existing uncovered floating boat dock, walkway, and three pilings. (PRC 8456.1; RA# 30612) (A 7; S 2) (Staff: R. Boggiano)

C11 RAMOS OIL COMPANY, INC. (PARTY); W. KENT RAMOS AND KYLE RAMOS (APPLICANTS): Authorize acceptance of a settlement of outstanding rent under Lease No. PRC 701.1, a General Lease - V Industrial Use, for previous wharfage facilities and an application for a General Lease - Industrial Use, of sovereign land located in the Sacramento River, adjacent to 1555 South River Road, in the city of West Sacramento, Yolo County; for an existing concrete pier, ramp, five three-pile dolphins, and an uncovered floating boat dock. (PRC 701.1, PRC 3773.1; RA# 16612) (A 8; S 5) (Staff: R. Boggiano)
C12 CALIFORNIA LAND AND WATER COMPANY, A CALIFORNIA CORPORATION (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Montezuma Slough, adjacent to Assessor's Parcel Number 0046-200-010, near Suisun City, Solano County; for an existing uncovered floating boat dock, two pilings, walkway, and covered shed. (PRC 7727.1; RA# 12912) (A 7, 8; S 5, 2) (Staff: R. Boggiano)

C13 CITY OF RIO DELL (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Eel River, adjacent to Assessor's Parcel Numbers 052-061-053 and 205-111-039, near the city of Rio Dell, Humboldt County; for the installation, use, and maintenance of a 14-inch diameter high density polyethylene (HDPE) effluent pipeline. (W 26651; RA# 17312) (A 1; S 2) (Staff: R. Boggiano)

C14 LEO H. SCHUERING JR. AND EILEEN S. SCHUERING, AS TRUSTEES OF THE SCHUERING FAMILY REVOCABLE TRUST, DATED NOVEMBER 30, 1994 (APPLICANTS): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 4475 Garden Highway, near the city of Sacramento, Sacramento County; for an existing floating boat dock with a single-berth boathouse and gangway previously authorized by the Commission, and two existing steel pilings, boat lift, electrical and water utility outlets, and bank protection not previously authorized by the Commission. (PRC 6988.1; RA# 31412) (A 5; S 6) (Staff: R. Boggiano)

C15 DANIEL L. WALSH (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 4321 Garden Highway, near the city of Sacramento, Sacramento County, for existing bank protection previously authorized by the Commission; and an uncovered single-berth floating boat dock, dolphin, two pilings, and gangway not previously authorized by the Commission. (PRC 6324.1; RA# 28312) (A 7; S 6) (Staff: V. Caldwell)
C16 RIVERBANK HOLDING COMPANY, LLC (APPLICANT), OHIO NATIONAL LIFE INSURANCE COMPANY (SECURED-PARTY LENDER): Consider termination of Lease No. PRC 6427.1, a General Lease - Commercial Use; an application for a General Lease - Commercial Use; Termination of Agreements and Consent to Encumbrancing of the Lease; approval of a new Agreement and Consent to Encumbrancing of the Lease; and approval of subleases, of sovereign land located in the Sacramento River, adjacent to 1371 Garden Highway, city of Sacramento, Sacramento County; for an existing commercial marina known as Riverbank Marina. (PRC 6427.1; RA# 01413) (A 9; S 6) (Staff: V. Caldwell)

C17 MYRON SIDIE (LESSEE); FACES, INC. (APPLICANT): Consider acceptance of a quitclaim deed for Lease No. PRC 2216.1, a General Lease - Commercial Use, and an application for a General Lease - Commercial Use, of sovereign land located in the Sacramento River, adjacent to 6985 Garden Highway, near the town of Nicholas, Sutter County; for an existing commercial marina. (PRC 2216.1; RA# 01313) (A 3; S 4) (Staff: V. Caldwell)

C18 MONTEZUMA WETLANDS, LLC (LESSEE): Consider application for an amendment to Lease No. PRC 8275.1, a General Lease - Industrial Use, of sovereign land located in the Sacramento River and Montezuma Slough, near Collinsville, Solano County; to include the construction of a surface water pump with a fish-screened intake pipeline, an extension of the lease term, and a revision in rent. (PRC 8275.1; RA# 21611) (A 8; S 4) (Staff: V. Caldwell)

C19 JAMES M. MCCLENAHAN AND MARGARET ANN MCCLENAHAN, AS TRUSTEES OF THE MCCLENAHAN FAMILY TRUST DATED FEBRUARY 22, 2001 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Donner Lake, adjacent to 15102 Point Drive; near the town of Truckee, Nevada County, for an existing pier. (PRC 8504.1; RA# 25512) (A 1; S 1) (Staff: M. J. Columbus)
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<td>ROGER B. PRIMM, TRUSTEE OF THE REVISED AND RESTATED ROGER B. PRIMM FAMILY TRUST U/D/T JANUARY 30, 1990 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3115 Jameson Beach Road, near the city of South Lake Tahoe; El Dorado County, for an existing pier and two mooring buoys. (PRC 6863.1; RA# 32812) (A 5; S 1) (Staff: M. J. Columbus)</td>
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<td>ALAN K. AUSTIN AND MARIANNE P. AUSTIN, TRUSTEES OF THE AUSTIN FAMILY TRUST DATED AUGUST 6, 1997, AND KAREN J. VAN VOORHIS, TRUSTEE OF THE KAREN J. VAN VOORHIS REVOCABLE TRUST, UNDER TRUST AGREEMENT DATED DECEMBER 23, 1992, A TRUST (LESSEES); ALAN K. AUSTIN AND MARIANNE P. AUSTIN, TRUSTEES OF THE AUSTIN FAMILY TRUST DATED AUGUST 6, 1997, AND BEAMING JOY LIMITED, A BVI LIMITED CORPORATION (APPLICANTS): Consider termination of Lease No. PRC 5801.9, a Recreational Pier Lease, and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 850 and 860 West Lake Boulevard, Tahoe City, Placer County; for an existing joint-use pier, two boat lifts, and four mooring buoys. (PRC 5801.1; RA# 27810) (A 1; S 1) (Staff: M. J. Columbus)</td>
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<td>THE KOURETAS FAMILY TRUST U/A DATED NOVEMBER 15, 1978, AS AMENDED (APPLICANT): Consider application for a General Lease - Recreational Use of sovereign land located in Lake Tahoe, adjacent to 5230 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. (PRC 1710.1; RA# 35910) (A 1; S 1) (Staff: M. J. Columbus)</td>
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<td>THE SOL AND NETTIE SCHERMAN FAMILY LIMITED PARTNERSHIP (LESSEE); MARK A. MARIANI AND MELODY ANN MARIANI, TRUSTEES OF THE MARK AND MELODY ANN MARIANI REVOCABLE TRUST UAD 1/9/97 (APPLICANTS): Consider termination of Lease No. PRC 4859.9, a Recreational Pier Lease, and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2820 Lake Terrace Avenue, near Tahoe City, Placer County; for an existing pier, covered boathouse, and two mooring buoys. (PRC 4859.1; RA# 26012) (A 1; S 1) (Staff: M. J. Columbus)</td>
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C24 JAMES DOBBAS AS TRUSTEE UNDER DECLARATION OF
TRUST DATED DECEMBER 22, 1976 (APPLICANT): Consider
application for a General Lease - Recreational Use of
sovereign land located in Lake Tahoe, adjacent to 8283
Meeks Bay Avenue, Meeks Bay, El Dorado County; for an
existing pier and one mooring buoy. (PRC 4494.1; RA# 18312) (A 5; S 1) (Staff: W. Hall)

C25 COUNTY OF SUTTER (APPLICANT): Consider
application for a General Lease - Public Agency Use,
of sovereign land located in the Feather River,
adjacent to 243 Second Street, Yuba City, Sutter
County; for an existing concrete boat launch ramp
previously authorized by the Commission, and an
L-shape uncovered floating dock, four pilings,
retaining wall, and bank protection not previously
authorized by the Commission. (PRC 7747.9; RA# 17511)
(A 3; S 4) (Staff: W. Hall)

C26 JEAN M. SHELDON FIRST FAMILY LIMITED PARTNERSHIP
(LESSEE); SEAN J. KEENE AND AMMANDA E. KEENE, TRUSTEES
OF THE SEAN AND AMMANDA KEENE 2004 TRUST, DATED AUGUST
19, 2008 AS AMENDED (APPLICANTS): Consider termination
of Lease No. PRC 4855.1, a General Lease -
Recreational Use, and an application for a General
Lease - Recreational Use, of sovereign land located in
Lake Tahoe, adjacent to 5820 North Lake Boulevard,
near Agate Bay, Placer County; for an existing pier
and two mooring buoys previously authorized by the
Commission and the removal of three existing
unattached pilings not previously authorized by the
Commission. (PRC 4855.1; RA# 21312) (A 1; S 1)
(Staff: W. Hall)

C27 GERALD E. JOHNSTON AND CYNTHIA M. JOHNSTON,
TRUSTEES OF THE GERALD E. JOHNSTON AND CYNTHIA M.
JOHNSTON TRUST, UNDER THE DECLARATION OF TRUST DATED
APRIL 26, 2002; CYRUS A. JOHNSON, SUCCESSOR TRUSTEE
UNDER REVOCABLE TRUST DATED JANUARY 10, 1989; STEPHEN
N. GRAY AND CAROLE J. GRAY, CO-TRUSTEES OF THE GRAY
FAMILY REVOCABLE TRUST DATED AUGUST 7, 1999; AND
WILLIAM E. LANDIS AND JULIE H. LANDIS, CO-TRUSTEES OF
THE LANDIS FAMILY REVOCABLE TRUST OF 1999
(APPLICANTS): Consider application for a General Lease -
Recreational Use, of sovereign land located in Lake
Tahoe, adjacent to 5020 and 5040 West Lake Boulevard, Homewood, Placer County; for an existing joint-use pier and four mooring buoys. (PRC 5120.1; RA# 33412) (A 1; S 1) (Staff: W. Hall)

C28 PAUL R. MALONE, VIRGINIA M. MALONE AND HAROLD S. PENNEY; AND CHARLOTTE C. PENNEY AS TRUSTEES OF THE HAROLD S. PENNEY AND CHARLOTTE C. PENNEY LIVING FAMILY TRUST, DATED NOVEMBER 6, 2002 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2865 West Lake Boulevard, near Tahoe City, Placer County; for an existing pier and one mooring buoy. (PRC 4128.9; RA# 10409) (A 1; S 1) (Staff: W. Hall)

C29 SFPP, L.P. (APPLICANT): Consider termination of a holdover tenancy and acceptance of a Quitclaim Deed for Lease No. PRC 5439.1, a General Lease - Rights-of-Way Use and an application for three new General Lease - Rights-of-Way Use, of sovereign land located in various waterways, various counties, for existing petroleum pipelines. (PRC 5439.1, PRC 9040.1, PRC 9041.1, PRC 9042.1; RA# 15512) (A & S: Statewide) (Staff: D. Jones)

C30 SFPP, L.P. (LESSEE): Consider revision of rent to Lease No. PRC 8486.1, a General Lease - Right-of-Way Use, of sovereign land located in Walnut, Grayson and Pacheco Creeks, Cordelia Slough and the Carquinez Strait; Contra Costa, Solano and Yolo Counties, for petroleum pipelines. (PRC 8486.1) (A 8, 11; S 5, 7) (Staff: D. Jones)

C31 JOHN R. GARAMENDI AND PATRICIA W. GARAMENDI, TRUSTEES OF THE GARAMENDI LIVING TRUST, DATED JULY 23, 1989 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to Sacramento County Assessor's Parcel Number 142-0230-008, near the city of Walnut Grove, Sacramento County; for the reconstruction, use, and maintenance of an uncovered floating boat dock, ramp, and two pilings. (PRC 6351.1; RA# 28011) (A 11; S 3) (Staff: N. Lavoie)
C32 CHRISTOPHER LUNARDI AND JOANNE LUNARDI; TAB STILES AND CHARLENE STILES AS TRUSTEES OF THE TAB AND CHARLENE STILES FAMILY TRUST, UNDER TRUST DATED OCTOBER 15, 2007; REGINALD G. BOONE, JR. AND LEI-WEY SUN; AND ROBERT M. FREY AND MALIA M. FREY (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Shag Slough, adjacent to Assessor's Parcel Number (APN) 0042-210-060, and in Cache Slough, adjacent to APN 0042-160-160 near the city of Rio Vista, Solano County; for four existing recreational dock facilities in Shag Slough and four boat sheds in Cache Slough previously authorized by the Commission, and an existing portion of a residence and attached deck in Shag Slough not previously authorized by the Commission. (PRC 6362.1; RA# 31312) (A 11; S 3) (Staff: N. Lavoie)

C33 KRISTINA LESSING HOMER, AS TRUSTEE OF THE MICHAEL JAMES HOMER QTIP TRUST NO. 2, UTD DECEMBER 6, 1999, AS AMENDED (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8833 Rubicon Drive, Rubicon Bay, El Dorado County; for an existing pier, boathouse, and two mooring buoys previously authorized by the Commission, and an existing boat lift not previously authorized by the Commission. (PRC 5623.1; RA# 21809) (A 5; S 1) (Staff: N. Lee)

C34 HOMEWOOD VILLAS, LLC (APPLICANT): Consider an amendment of Lease No. PRC 9071.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5130 West Lake Boulevard, near Homewood, Placer County; to include a revised land description. (PRC 9071.1; RA# 02912) (A 1; S 1) (Staff: N. Lee)

C35 NATHAN TOPOL, DBA HOMEWOOD RESORT (LESSEE): Consider rescission of a quitclaim deed and acceptance of a new quitclaim deed for Lease No. PRC 5857.1, a General Lease - Commercial Use, of sovereign land located in Lake Tahoe, adjacent to Assessor's Parcel Numbers 097-130-028 through 097-130-033, near Homewood, Placer County; for the lease area associated with an existing pier. (PRC 5857.1) (A 1; S 1) (Staff: N. Lee)
C36 CITY OF NAPA (APPLICANT): Consider application for the termination and issuance of a General Lease - Public Agency Use for an existing boat ramp; to dredge 40,000 cubic yards of material from sovereign land located in the Napa River at the boat ramp, Napa County; and disposal of dredged material at the U.S. Army Corps of Engineers' designated disposal sites SF-9 (Carquinez Strait), the Cullinan Ranch Restoration Project, the Napa County Flood Control and Water Conservation District's Imola Avenue site, and/or other U.S. Army Corps of Engineers' approved disposal sites. (PRC 3745.9; RA# 20812) (A 7; S 2) (Staff: D. Oetzel)

C37 VALLEJO YACHT CLUB (APPLICANT): Consider application for a General Lease - Dredging, to dredge material from granted land, minerals reserved; located in the Mare Island Strait in the city of Vallejo, Solano County. (PRC 8224.9; RA# 02513) (A 7; S 2) (Staff: D. Oetzel)

C38 RICHARD BOWLING, JR. AND KATHLEEN S. BOWLING, AS CO-TRUSTEES OF THE BOWLING REVOCABLE TRUST DATED DECEMBER 27, 1991 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4692 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. (PRC 5318.1; RA# 06412) (A 1; S 1) (Staff: S. Paschall)

C39 COLLEEN KIMBALL, TRUSTEE OF THE SURVIVOR'S TRUST OF THE KIMBALL FAMILY TRUST DATED JANUARY 2, 2003; AND COLLEEN KIMBALL, TRUSTEE OF THE DECEDENT'S TRUST OF THE KIMBALL FAMILY TRUST DATED JANUARY 2, 2003 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6918 Pomina Avenue, near Tahoma, Placer County; for two existing mooring buoys not previously authorized by the Commission. (W 26702; RA# 00512) (A 1; S 1) (Staff: S. Paschall)
C40 SISTERS OF SAINT DOMINIC, CONGREGATION OF THE MOST HOLY NAME (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2800 Lake Terrace Avenue, near Tahoe City, Placer County; for an existing pier. (PRC 4379.1; RA# 20608) (A 1; S 1) (Staff: S. Paschall)

C41 JAY GUDEBSKI, TRUSTEE OF THE JAY GUDEBSKI TRUST DATED 8/25/2008 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8315 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for two existing mooring buoys. (PRC 8178.1; RA# 09912) (A 1; S 1) (Staff: S. Paschall)

C42 GERALD R. ROSE AND DEBORAH K. ROSE, CO-TRUSTEES OF THE ROSE FAMILY TRUST, DATED APRIL 9, 2008 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, Knights Landing, Yolo County; for an existing floating boat dock, cables, and gangway not previously authorized by the Commission. (W 24498; RA# 34912) (A 4; S 3) (Staff: J. Sampson)

C43 HEIGH HO, LLC (LESSEE); RAJIT KUMAR AGRAWAL AND REENA MODI AGRAWAL, TRUSTEES OF THE RAJIT AND REENA AGRAWAL LIVING TRUST (APPLICANTS): Consider termination of Lease No. PRC 8854.1, a General Lease - Recreational Use, and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 9902 Lake Street, Kings Beach, Placer County; for two existing mooring buoys. (PRC 8854.1; RA# 34412) (A 1; S 1) (Staff: J. Sampson)

C44 RAJIT KUMAR AGRAWAL AND REENA MODI AGRAWAL, TRUSTEES OF THE RAJIT AND REENA AGRAWAL LIVING TRUST (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 9922 Lake Street, Kings Beach, Placer County; for two existing mooring buoys. (PRC 8366.1; RA# 34512) (A 1; S 1) (Staff: J. Sampson)
C45 FRANK SLOOTMAN AND BRENDA L. SLOOTMAN, CO-TRUSTEES OF THE SLOOTMAN LIVING TRUST DATED SEPTEMBER 8, 1999 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2050 North Lake Boulevard, near Tahoe City, Placer County; for two existing mooring buoys. (PRC 8399.1; RA# 15511) (A 1; S 1) (Staff: M. Schroeder)

C46 JOSHUA R. FLOUM AND MARGARET R. O’DONNELL (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3328 Edgewater Drive, near Tahoe City, Placer County; for two existing mooring buoys. (PRC 8401.1; RA# 24011) (A 1; S 1) (Staff: M. Schroeder)

C47 CRAIG MILLER AND BEVERLY JO YUKE-MILLER, TRUSTEES OF THE CRAIG MILLER AND BEVERLY JO YUKE-MILLER TRUST DATED MARCH 27, 2000 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3356 Edgewater Drive, near Tahoe City, Placer County; for two existing mooring buoys. (PRC 5528.1; RA# 29011) (A 1; S 1) (Staff: M. Schroeder)

C48 DAVID MICHAEL BOWMAN, AS TRUSTEE, OR HIS SUCCESSOR, OF THE DAVID MICHAEL BOWMAN TRUST AGREEMENT DATED APRIL 13, 1989 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8401 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for an existing pier, boat hoist, and two mooring buoys. (PRC 1828.1; RA# 14711) (A 5; S 1) (Staff: M. Schroeder)

C49 CHRISTOPHER AHERN LEE, TRUSTEE OF THE FOX-LEE LIVING TRUST DATED JULY 10, 1998 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 13760 Highway 160, near Walnut Grove, Sacramento County; for an existing uncovered floating boat dock, a ramp, two pilings, and stairs. (PRC 6035.1; RA# 33210) (A 11; S 3) (Staff: M. Schroeder)
C50 DILL CORPORATION, A CALIFORNIA CORPORATION (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 652 Olympic Drive, near Tahoe City, Placer County; for two existing mooring buoys. (PRC 5580.1; RA# 24111) (A 1; S 1) (Staff: M. Schroeder)

C51 RAY DOLBY AND DAGMAR DOLBY, TRUSTEES OF THE DOLBY FAMILY TRUST DATED MAY 7, 1999 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2540 West Lake Boulevard, near Tahoe City, Placer County; for an existing rock crib pier and open-sided boathouse previously authorized by the Commission; and two existing boat lifts, portion of a storage building, and two mooring buoys not previously authorized by the Commission. (PRC 3683.9; RA# 23309) (A 1; S 1) (Staff: M. Schroeder)

C52 GARY W. GUITTARD AND HORRACE A. GUITTARD, JR. (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5660 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boathouse, and two mooring buoys previously authorized by the Commission; and an existing boat lift, boat hoist, and a sundeck with stairs not previously authorized by the Commission. (PRC 3294.1; RA# 08700) (A 1; S 1) (Staff: M. Schroeder)

C53 ROGER D. GRIFFITH AND ELIZABETH A. GRIFFITH (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6966 West Lake Boulevard, near Tahoma, Placer County; for an existing pier, boat lift, marine rail, and two mooring buoys. (PRC 4926.9; RA# 09509) (A 1; S 1) (Staff: M. Schroeder)

C54 C. HENRY VEIT, TRUSTEE OF THE WARREN H. SICHEL TESTAMENTARY TRUST DATED AUGUST 11, 1993 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4190 Ferguson Avenue, near Carnelian Bay, Placer County; for an existing pier and boathouse previously authorized by the Commission; and an existing boat lift, boat hoist, sundeck with...
stairs, and two mooring buoys not previously authorized by the Commission. (PRC 5122.1; RA# 23510) (A 1; S 1) (Staff: M. Schroeder)

C55 RCD TAHOE LP, A CALIFORNIA LIMITED PARTNERSHIP; DAVID J. TEECE; AND LEIGH G. TEECE (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 9125 Emerald Bay Road and 256 Four Ring Road, near Rubicon Bay, El Dorado County; for an existing joint-use pier, boathouse, and four mooring buoys previously authorized by the Commission; and an existing boat lift not previously authorized by the Commission. (PRC 2223.1; RA# 10311) (A 5; S 1) (Staff: M. Schroeder)

C56 SWEETBRIAR, INC. (LESSEE): Consider revision of rent to Lease No. PRC 7806.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8000 North Lake Boulevard, near Kings Beach, Placer County; for two existing mooring buoys. (PRC 7806.1) (A 1; S 1) (Staff: M. Schroeder)

C57 PAUL PHILLIPS (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6400 North Lake Boulevard, near Tahoe Vista, Placer County; for an existing pier, boat lift, and two mooring buoys. (PRC 3223.1; RA# 22812) (A 1; S 1) (Staff: M. Schroeder)

C58 ELISEO COVE HOMEOWNERS ASSOCIATION (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, Greenbrae, Marin County; for an existing boat dock and access ramp. (PRC 4900.1; RA# 31512) (A 10; S 2) (Staff: D. Simpkin)

C59 SAN FRANCISCO STATE UNIVERSITY ROMBERG TIBURON CENTER FOR ENVIRONMENTAL STUDIES (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in San Francisco Bay, near Tiburon, Marin County; for an existing finger pier previously authorized by the Commission; and an existing weather station, water quality instruments,
and 32 concrete pilings not previously authorized by the Commission. (PRC 8446.9; RA# 31612) (A 6; S 3) (Staff: D. Simpkin)

C60  SAN FRANCISCO STATE UNIVERSITY ROMBERG TIBURON CENTER FOR ENVIRONMENTAL STUDIES (APPLICANT): Consider termination of Lease No. PRC 8268.9, a General Lease - Public Agency Use, and an application for a General Lease - Public Agency Use, of sovereign land located in San Francisco Bay, near Tiburon, Marin County; for an existing 300-foot long, 8-inch diameter saltwater intake pipeline and rock riprap. (PRC 8268.9; RA# 32912) (A 6; S 3) (Staff: D. Simpkin)

C61  K.M.C., INC. (APPLICANT): Consider application for a General Lease - Commercial Use, of sovereign land located in San Francisco Bay, near Tiburon, Marin County; for an existing public park, a north and south breakwater, three navigational pilings, and maintenance dredging. (PRC 2148.1; RA# 30512) (A 10; S 2) (Staff: D. Simpkin)

C62  GRAYLE TULLY JAMES AND GWYN-MOHr TULLY (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8507 and 8511 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for an existing pier, boat lift, and four mooring buoys. (PRC 8421.1; RA# 33712) (A 5; S 1) (Staff: B. Terry)

C63  GABRIELLE D. HARLE; ANNE B. DONAHOE, AS TRUSTEE OF THE ANNE B. DONAHOE TAHOE RESIDENCE TRUST NO. 1; ANNE B. DONAHOE, AS TRUSTEE OF THE ANNE B. DONAHOE TAHOE RESIDENCE TRUST NO. 2; AND ANNE B. DONAHOE, AS TRUSTEE OF THE ANNE B. DONAHOE TAHOE RESIDENCE TRUST NO. 3 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8873 and 8879 Rubicon Drive, near Tahoma, El Dorado County; for an existing pier, boat lift, and two mooring buoys. (PRC 3653.1; RA# 18510) (A 5; S 1) (Staff: B. Terry)
C64 RICHARD R. TOMLINSON AND SANDY L. TOMLINSON, TRUSTEES OF THE TOMLINSON FAMILY TRUST DATED MARCH 7, 1995 (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 648 Olympic Drive, Tahoe City, Placer County; for two existing mooring buoys. (PRC 8445.1; RA# 29912) (A 1; S 1) (Staff: B. Terry)

C65 TONOPALO PRIVATE RESIDENCE CLUB OWNERS ASSOCIATION, INC. (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to Assessor's Parcel Number 117-240-022, Tahoe Vista, Placer County; for an existing pier and 12 mooring buoys. (PRC 8439.1; RA# 14112) (A 1; S 1) (Staff: B. Terry)

C66 WILLIAM O. ADAMS AND JANICE L. ADAMS, TRUSTEES OF THE WILLIAM O. AND JANICE L. ADAMS FAMILY REVOCABLE TRUST, ESTABLISHED MAY 16, 1998 (LESSEES); DAVID M. ADAMS AND COURTNEY ADAMS, CO-TRUSTEES OF THE DAVID ADAMS FAMILY REVOCABLE TRUST; AND MICHAEL W. ADAMS AND SUE E. ADAMS, CO-TRUSTEES OF THE MICHAEL W. AND SUE E. ADAMS REVOCABLE TRUST OF 2002 (APPLICANTS): Consider acceptance of a quitclaim deed for Lease No. PRC 8658.9, a Recreational Pier Lease, and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 640 Olympic Drive, Tahoe City, Placer County; for two existing mooring buoys. (PRC 8658.1; RA# 20612) (A 1; S 1) (Staff: B. Terry)

CENTRAL REGION

C67 FRANK T. RAUZI AND JUDITH D. RAUZI (APPLICANTS): Consider application for a General Lease - Recreational Use, of sovereign land located in the Calaveras River, adjacent to 2943 Calariva Drive, near the city of Stockton, San Joaquin County; for an existing boat dock, boathouse, and gangway. (PRC 8473.1; RA# 30812) (A 13; S 5) (Staff: G. Asimakopoulos)
C68 KIM CURRIERI AND LYNNE CURRIERI (APPLICANTS): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Calaveras River, adjacent to 4239 Yacht Harbor Drive, near the city of Stockton, San Joaquin County; for an existing uncovered U-shaped floating boat dock, gangway, and three pilings previously authorized by the Commission, and an existing bulkhead, not previously authorized by the Commission. (PRC 4200.1; RA# 22311) (A 17; S 5) (Staff: R. Boggiano)

C69 MIDDLE RIVER SKI CLUB (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Middle River, adjacent to Assessor's Parcel Number 129-170-06, near the city of Stockton, San Joaquin County; for an existing floating boat dock, two pilings and a slalom course with 22 marker buoys and anchors previously authorized by the Commission, and two existing sunshade structures not previously authorized by the Commission. (PRC 6702.1; RA# 30712) (A 17; S 5) (Staff: R. Boggiano)

C70 TIKI LAGUN PARTNERS, LLC (APPLICANT): Consider acceptance of a Quitclaim Deed for Lease No. PRC 4082.1, a General Lease - Commercial Use; termination of an Agreement and Consent to Encumbrancing of Lease; and an application for a new General Lease - commercial Use and an Agreement and Consent to Encumbrancing, of sovereign land located in Whiskey Slough, near the city of Stockton, San Joaquin County; for a commercial marina. (PRC 4082.1; RA# 02213) (A 15, 17, 26; S 5, 14) (Staff: R. Boggiano)

C71 HERCULES LLC (LESSEE): Consider revision of rent to Lease No. PRC 7985.1, a General Lease - Right-of-Way Use, of sovereign land located in San Pablo Bay, city of Hercules, Contra Costa County; for an 8-inch diameter treated wastewater industrial outfall pipeline, anchor plates, and diffusers. (PRC 7985.1) (A 15; S 9) (Staff: K. Foster)
C72 CENTRAL CONTRA COSTA SANITATION DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Carquinez Straight, city of Martinez, Contra Costa County; for existing sanitary sewer pipelines. (PRC 4136.9; RA# 26612) (A 14; S 7) (Staff: A. Franzoia)

C73 350 BEACH ROAD LLC (APPLICANT): Consider application for a General Lease - Recreational, Protective Structure, and Right-of-Way Use, of filled sovereign land located in the city of Burlingame, San Mateo County; for the reconstruction of a portion of the San Francisco Bay Trail; the new construction of a private driveway to Fisherman's Park including public parking; and reconstruction of a portion of the existing Airport Road to conform with the future alignment of Airport Boulevard; and existing riprap not previously authorized by the Commission. (W 26655; RA# 21012) (A 22; S 8, 13) (Staff: A. Franzoia)

C74 KENNETH J CARVER, II (APPLICANT): Consider application for a General Lease - Commercial Use, of sovereign land located in the Carquinez Strait, Crockett, Contra Costa County; for an existing marina, restaurant, and appurtenant facilities. (PRC 2546.1; RA# 26911) (A 14; S 3) (Staff: G. Kato)

C75 WIND OVER WATER KITEBOARDING LLC (APPLICANT): Consider application for a General Lease - Commercial Use, of sovereign land on and adjacent to San Francisco Bay, city of Burlingame, San Mateo County; for a kite-boarding operation and equipment storage not previously authorized by the Commission. (W 26695; RA# 34612) (A 14; S 3) (Staff: G. Kato)

C76 ST. FRANCIS YACHT CLUB (LESSEE): Consider revision of rent to Lease No. PRC 5266.1, a General Lease - Recreational Use, of sovereign land located in the San Joaquin River, adjacent to Tinsley Island, San Joaquin County; for 12 existing mooring buoys. (PRC 5266.1) (A 13; S 5) (Staff: N. Lavoie)
C77 C&H SUGAR COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 7659.1, a General Lease – Industrial Use, of sovereign land located in the Carquinez Strait, in the town of Crockett, Contra Costa County; for a sugar refinery, dock, and outfall pipelines. (PRC 7659.1) (A 11; S 7) (Staff: D. Oetzel)

C78 CHEVRON PRODUCTS COMPANY (APPLICANT): Consider application for a General Lease – Industrial Use, of sovereign land located in San Francisco Bay in the city of Richmond, Contra Costa County; to place the Chevron Pt. Orient Wharf into caretaker status, during which time Chevron will conduct feasibility studies to determine the future use of the property. (PRC 139.1; RA# 20611) (A 6; S 9) (Staff: D. Oetzel)

C79 SOUTH BAY YACHT CLUB (APPLICANT): Consider application for a General Lease – Commercial Use, of sovereign land located in the Guadalupe River, near the town of Alviso, Santa Clara County; for existing docking and moorage facilities. (PRC 3979.1; RA# 12212) (A 25; S 10) (Staff: D. Simpkin)

C80 GREAT BASIN AIR POLLUTION CONTROL DISTRICT (APPLICANT): Consider termination of Lease No. PRC 8277.9, a General Lease – Public Agency Use, and an application for a General Lease – Public Agency Use, of sovereign land located on the dry lake bed of Owens Lake, Inyo County; for one existing meteorological tower previously authorized by the Commission; 124 sensit sites and four meteorological towers not previously authorized by the Commission; and the proposed placement of one air monitoring station. (W 26673; RA# 30912) (A 34; S 18) (Staff: D. Simpkin)

C81 CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER (APPLICANT): Consider application for an Archeological Investigation Permit for excavation of sites on sovereign land located on the dry lake bed of Owens Lake, Inyo County, for the Owens Lake Dust Mitigation Program (Phase IX) project. (PRC 8943.9, RA# 02113) (A 34; S 18) (Staff: D. Simpkin)
C82 CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER (LESSEE): Consider application for an amendment to Lease No. PRC 8079.9, a General Lease - Public Agency Use on sovereign land located in the dry lake bed, Owens Lake, Inyo County; to construct and maintain 6.5 square miles of dust control on the bed of Owens Lake. (PRC 8079.9; RA# 17010) (A 34; S 18) (Staff: D. Simpkin)

C83 CITY OF MODESTO (APPLICANT): Consider termination of Lease No. PRC 8514.9, a General Lease - Public Agency Use, and an application for a General Lease - Public Agency Use, of sovereign land located in the Tuolumne River, adjacent to Assessor's Parcel Numbers 037-036-003, 038-022-013, and 038-022-014, city of Modesto, Stanislaus County; for one existing 18-inch diameter sewer pipeline and three abandoned sewer pipelines; and the installation, use, and maintenance of two new 18-inch diameter sewer pipelines. (PRC 8514.9; RA# 22412) (A 26; S 12) (Staff: B. Terry)

SOUTHERN REGION

C84 MICHAEL F. DENTON SR. AND MERRIE N. DENTON (APPLICANTS): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1178 Beach Drive, city of Needles, San Bernardino County; for an existing stairway with railing, two sundecks, shower, and riprap bankline not previously authorized by the Commission. (W 26602; RA# 00412) (A 33; S 18) (Staff: R. Collins)

C85 ALBERT AVALOS AND STACY AVALOS, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE ALBERT & STACY AVALOS LIVING TRUST, DATED NOVEMBER 27, 2000, AND ANY AMENDMENTS THERETO (APPLICANTS): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1116 Beach Drive, city of Needles, San Bernardino County; for existing concrete stairs with rock retaining walls and appurtenances, two concrete patio areas with railing and rock retaining walls, two planter areas with rock retaining walls and a shower, and riprap bankline not previously authorized by the Commission. (W 26557; RA# 24511) (A 33; S 18) (Staff: R. Collins)
C86 DONALD W. AASE AND JUDITH E. AASE (APPLICANTS): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1118 Beach Drive, city of Needles, San Bernardino County; for existing concrete stairs with rock retaining walls, two concrete patio areas and rock retaining walls, planter area, and riprap bankline not previously authorized by the Commission. (W 26558; RA# 24711) (A 33; S 18) (Staff: R. Collins)

C87 ROBERT E. MASON AND MARY E. MASON (APPLICANTS): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1214 Beach Drive, city of Needles, San Bernardino County; for two existing concrete stairways with railing and rock walls, concrete patio with rock retaining walls, and riprap bankline not previously authorized by the Commission. (W 26578; RA# 29811) (A 33; S 18) (Staff: R. Collins)

C88 ENCINA WASTEWATER AUTHORITY (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Pacific Ocean, in the Gulf of Santa Catalina, City of Carlsbad, San Diego County; for an existing 7,800 Linear Foot, 48- and 72-inch diameter ocean outfall pipelines. (PRC 3097.9; RA# 13512) (A 76; S 38) (Staff: R. Collins)

C89 TODD SEIDNER, TRUSTEE OF THE SEIDNER FAMILY TRUST DATED JUNE 14, 2001 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1228 Beach Drive, city of Needles, San Bernardino County; for the construction, use, and maintenance of a stairway with railing, landing, gangway, floating walkway, and floating boat dock; and existing riprap not previously authorized by the Commission. (W 26670; RA# 24412) (A 33; S 28) (Staff: R. Collins)
C90 JOSEPH R. RYNIAK AND CYNTHIA M. RYNIAK (APPLICANTS): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1226 Beach Drive, city of Needles, San Bernardino County; for the construction, use, and maintenance of a stairway, gangway, and floating boat dock; and existing planter area and riprap bankline not previously authorized by the Commission. (W 26671; RA# 24512) (A 33; S 18) (Staff: R. Collins)

C91 MICHAEL J. HILGERT AND JACQUELINE D. HILGERT, TRUSTEES, UNDER THE HILGERT FAMILY TRUST DATED OCTOBER 6, 2010 (APPLICANTS): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1230 Beach Drive, city of Needles, San Bernardino County; for the construction, use, and maintenance of a gangway with railing, floating walkway, and floating boat dock; and an existing stairway with railing, sundeck, and riprap bankline not previously authorized by the Commission. (W 26672; RA# 24312) (A 33; S 18) (Staff: R. Collins)

C92 OPTICACCESS LLC (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in the Pacific Ocean offshore from Morro Bay to Santa Barbara, San Luis Obispo and Santa Barbara Counties; for an existing fiber-optic cable. (PRC 8168.1; RA# 22112) (A 35, 37; S 17, 19) (Staff: A. Franzoia)

C93 GERALD A. JONES AND MARILYN L. JONES, TRUSTEES OF THE GERALD A. JONES AND MARILYN L. JONES REVOCABLE TRUST DATED SEPTEMBER 12, 1985 (APPLICANTS): Recission of Commission authorization and consideration for a new General Lease - Recreational Use, of sovereign land in the Midway Channel of Huntington Harbour, adjacent to 3442 Gilbert Drive, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. (PRC 3079.1; RA# 07112) (A 67; S 35) (Staff: A. Franzoia)
C94 SIGNAL HILL SERVICE, INC. (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in the Santa Barbara Channel, near Rincon Point, Santa Barbara and Ventura counties; for four existing submarine pipelines from Platform Hogan to an onshore point and one outfall pipeline from shore. (PRC 3914.1; RA# 23111) (A 35; S 18) (Staff: D. Oetzel)

C95 ROBERT E. FABER AND SARAH K. FABER, CO-TRUSTEES (LESSEES): Consider revision of rent to Lease No. PRC 5625.1, a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 1667 Carousel Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. (PRC 5625.1) (A 67; S 35) (Staff: D. Oetzel)

C96 NEWPORT HARBOR YACHT CLUB (LESSEE): Consider revision of rent to Lease No. PRC 6411.1, a General Lease - Recreational Use, of sovereign land located in Moonstone Cove, Santa Catalina Island, Los Angeles County; for an existing pier, ramp, and floating platform with two mooring anchors used to access upland club facilities. (PRC 6411.1) (A 54; S 27) (Staff: D. Oetzel)

C97 DCOR, L.L.C (LESSEE): Consider revision of rent to Lease No. PRC 6417.1, a General Lease - Right-of-Way Use, of sovereign land located in the Pacific Ocean, offshore of Huntington Beach, Orange County; for one existing 24-inch pipeline containing two power cables and one existing 6-inch diameter gas pipeline extending offshore to serve Platform Eva (in State waters) and Platform Edith (in Federal waters). (PRC 6417.1) (A 67; S 35) (Staff: D. Oetzel)

C98 SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 4055.1, a General Lease - Right-of-Way Use, of sovereign land located in Sunset Bay, near Seal Beach, Orange County; for an existing overhead electrical transmission line. (PRC 4055.1) (A 67; S 35) (Staff: D. Oetzel)
C99 ERNEST F. GRETHER, JR., TRUSTEE OF THE GRETHER RESIDENCE TRUST DATED MAY 9, 2003 (LESSEE): Consider revision of rent for Lease No. PRC 3855.1, a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16795 Bolero Lane, city of Huntington Beach, Orange County for an existing boat dock, access ramp, and cantilevered deck. (PRC 3855.1) (A 72; S 34) (Staff: D. Simpkin)

C100 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES): Consider acceptance of an offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, 25160 Malibu Road, Los Angeles County. (W 24665) (A 41; S 23) (Staff: D. Simpkin)

C101 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES): Consider acceptance of an offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, 27952 Pacific Coast Highway, Los Angeles County. (W 24665) (A 41; S 23) (Staff: D. Simpkin)

SCHOOL LANDS

C102 SOUTHERN CALIFORNIA EDISON COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State school land located in a portion of Section 16, Township 24 South, Range 38 East, MDM, near the unincorporated community of Little Lake, Inyo County; for an existing 115 kilovolt (kV) transmission line and four steel towers not previously authorized by the Commission. (W 26686; RA# 28712) (A 34; S 17) (Staff: C. Hudson)

MINERAL RESOURCES MANAGEMENT

C103 TOWNE EXPLORATION COMPANY, LP (ASSIGNOR) AND VINTAGE PRODUCTION CALIFORNIA LLC (ASSIGNEE): Consider approval of a lease amendment and an assignment of Towne Exploration Company, LP's 100 percent interest in State Oil and Gas Lease No. PRC 8349.1 to Vintage Production California LLC, underlying the bed of Mokelumne River, Sacramento and San Joaquin Counties. (PRC 8349.1) (A 8,17; S 4,5) (Staff: N. Heda, M. LeClair)
C104 TOWNE EXPLORATION COMPANY, LP (ASSIGNOR) AND VINTAGE PRODUCTION CALIFORNIA LLC (ASSIGNEE): Consider approval of a lease amendment and an assignment of Towne Exploration Company, LP's 100 percent interest in State Oil and Gas Lease No. PRC 8573.1 to Vintage Production California LLC, underlying the bed of Georgiana Slough, Sacramento County. (PRC 8573.1) (A 15; S 5) (Staff: N. Heda, M. LeClair)

C105 TOWNE EXPLORATION COMPANY, LP (ASSIGNOR) AND VINTAGE PRODUCTION CALIFORNIA LLC (ASSIGNEE): Consider approval of a lease amendment and an assignment of Towne Exploration Company, LP's 60 percent interest in State Oil and Gas Lease No. PRC 8694.1 to Vintage Production California LLC, underlying the bed of Georgiana Slough, Sacramento County. (PRC 8694.1) (A 15; S 5) (Staff: N. Heda, M. LeClair)

C106 VENOCO, INC. (ASSIGNOR) AND VENOCO ENERGY PARTNERS OPERATING, LLC (ASSIGNEE): Consider approval of a partial assignment of 22 percent (22%) of Venoco, Inc.'s 100 percent (100%) interest in Well No. 3242-15, located on State Oil and Gas Lease No. PRC 3242.1 to Venoco Energy Partners Operating, LLC, Santa Barbara and Ventura Counties. (PRC 3242.1) (A 35; S 10) (Staff: M. LeClair)

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MARINE FACILITIES ADMINISTRATION

C107 PHILLIPS 66 (LESSEE): Consider waiver of penalty and partial reduction of interest due to late payment of rent on Lease No. PRC 600.1, a General Lease - Industrial Use, of sovereign land located in Contra Costa County. (PRC 600.1) (A 11; S 7) (Staff: D. Brown)

LEGAL

C108 REDWOOD SQUARE ENTERPRISES, LLC (PARTY): Consider Acceptance of a Quitclaim Deed to lands located in Vallejo, Solano County. (AD 79) (A 14; S 2, 3) (Staff: J. Frey)
C109  REDWOOD SQUARE ENTERPRISES, LLC; CALIFORNIA STATE LANDS COMMISSION (PARTIES): Consider Amendment to Compromise Title Settlement Agreement between the State of California and Standard Brands Paint Co. recorded January 31, 1989 regarding lands located in Vallejo, Solano County. (AD 79) (A 14; S 2, 3) (Staff: J. Frey)

C110  MAXIM COMMERCIAL CAPITAL LLC (PARTY): Consider approval of an Interim Authorization to Effectuate Vessel Removal for the vessel known as "the Frank M. Coxe" also/formerly known as "Dago Mary's" "The Sherman" and "The Showboat" among other names, as well as removal of the gangway, pilings and other restaurant-related improvements from sovereign land, at 410 Airport Boulevard, Burlingame, San Mateo County. (W 26713) (A 19; S 8) (Staff: S. Haaf)

C111  STECKLER-PACIFIC COMPANY, INC.; HELEN GALATOLO; COUNTY OF MARIN; HONORABLE POLYXENI STEFANIDOU, TRUSTEE; DOROTHY STECKLER; AND CALIFORNIA STATE LANDS COMMISSION (PARTIES): Consider a compromise Title Settlement, Exchange and Boundary Line Agreement between the State of California, acting by and through the State Lands Commission, the Steckler-Pacific Company Inc., County of Marin, Helen Galatolo, The Honorable Polyxeni Stefanidou, Consul General of Greece at San Francisco, California as Trustee of the Kratico Nosocomio aka General Public Hospital of Kalmata Trust, and Dorothy J. Steckler. (W 26186; AD 516) (A 10; S 2) (Staff: E. Milstein, J. Koepke)

C112  ALVIN M. OGA; CALIFORNIA STATE LANDS COMMISSION (PARTIES): Consider, by an informal hearing pursuant to Public Resources Code section 6302.3, authorization for the staff of the California State Lands Commission to remove and dispose of an abandoned vessel, the Steel Toy, illegally occupying state lands in the Old River at Beaver Island, Contra Costa County. (W 26534) (A 15; S 5) (Staff: P. Pelkofer, V. Caldwell)
C113 BETTY VRANESH RT 2002; CALIFORNIA STATE LANDS COMMISSION (PARTIES): Consider authorization for the staff of the California State Lands Commission and/or the Office of the Attorney General to take legal action to cause compliance with the Commission’s leasing authority for the placement of an unauthorized piling and structure on sovereign land located in the Sacramento River, adjacent to 2221 Garden Highway, Sacramento County. (W 26581) (A 7; S 6) (Staff: P. Pelkofer, V. Caldwell)

C114 CALIFORNIA STATE LANDS COMMISSION: Consider adopting a standardized reporting form to be submitted by legislative grantees of sovereign public trust land and approving a workload analysis that summarizes the resources necessary for the Commission to fulfill its oversight responsibilities with respect to all legislatively granted public trust lands, pursuant to AB 2620 (Achadjian), Chapter 206, Statutes of 2012. (Staff: S. Scheiber)

C115 CITY OF NEWPORT BEACH (APPLICANT): Consider approval of a new lease in Newport Harbor, pursuant to Chapter 728, Statutes of 1994, located within legislatively-granted sovereign land in the City of Newport Beach, Orange County. (G 09-02) (A 74; S 37) (Staff: S. Scheiber)

V INFORMATIONAL

116 CALIFORNIA STATE LANDS COMMISSION: Staff report on the monitoring of possible subsidence, Long Beach Unit, Wilmington Oil Field, Los Angeles County. (W 16001, W 10442) (A 54, 55; S 27, 28) (Staff: R. B. Greenwood)
VI  REGULAR CALENDAR

117  CALIFORNIA STATE LANDS COMMISSION: Consider supporting federal legislation that would enact the Lake Tahoe Restoration Act which would extend the Lake Tahoe Restoration Act by another 10 years and authorize $415 million to combat invasive species, improve water clarity, reduce the threat of catastrophic wildfire and restore the environment. (S. 1451, Senator Feinstein) (A & S: Federal) (Staff: S. Pemberton) 16

(A & S: Statewide) (Staff: H. Wyer) 18

119  CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider authorizing the Executive Officer to execute and submit an application to the U.S. Fish and Wildlife Service to obtain a permit for the incidental take of endangered and threatened species pursuant to Section 10 the federal Endangered Species Act, relating to implementation of the Desert Renewable Energy Conservation Plan. (A & S: Statewide) (Staff: J. DeLeon) 26

120  CALIFORNIA STATE LANDS COMMISSION: Consider adoption of a Mitigated Negative Declaration and approval of a program update to the Commission's Low Energy Offshore Geophysical Permit Program. (W 30177) (A & S: Statewide) (Staff: R. B. Greenwood, J. DeLeon, J. Fabel) 32

121  DAVID EVANS AND ASSOCIATES, INC., FUGRO PELAGOS, INC., FUGRO WEST, INC., UNITED STATES GEOLOGICAL SURVEY, ECOSYSTEMS MANAGEMENT ASSOCIATES, INC., UNIVERSITY CORPORATION AT MONTEREY BAY, COASTAL FRONTIERS CORPORATION, TERRASOND, LIMITED, SCRIPPS INSTITUTE OF OCEANOGRAPHY (APPLICANTS): Consider approval of a Non Exclusive Geophysical Survey Permit on tide and submerged lands under the jurisdiction of
the California State Lands Commission.  
(PR C 8345.9, PRC 8391.9, PRC 8392.9, PRC 8394.9,  
PRC 8536.9, PRC 8859.9, PRC 8911.9, PRC 9007.9,  
W 6005.139) (A & S: Statewide)  
(Staff: R. B. Greenwood) 74

VII PUBLIC COMMENT 102

VIII COMMISSIONERS' COMMENTS 109

IX CLOSED SESSION: AT ANY TIME DURING THE MEETING  
THE COMMISSION MAY MEET IN A SESSION CLOSED TO  
THE PUBLIC TO CONSIDER THE FOLLOWING PURSUANT  
TO GOVERNMENT CODE SECTION 11126: 109

A. LITIGATION.  
THE COMMISSION MAY CONSIDER PENDING AND POSSIBLE  
LITIGATION PURSUANT TO THE CONFIDENTIALITY OF  
ATTORNEY-CLIENT COMMUNICATIONS AND PRIVILEGES PROVIDED  
FOR IN GOVERNMENT CODE SECTION 11126(e).

1. THE COMMISSION MAY CONSIDER MATTERS THAT FALL UNDER  
GOVERNMENT CODE SECTION 11126(e)(2)(A):

State of California, acting by and through the State  
Lands Commission v. Venoco, Inc.

Seacliff Beach Colony Homeowners Association v. State  
of California, et al.

State of California, acting by and through the State  
Lands Commission v. Singer

Defend Our Waterfront v. California State Lands  
Commission, et al.

The Melton Bacon and Katherine L. Bacon Family Trust,  
et al. v. California State Lands Commission, City of  
Huntington Beach

SLPR, LLC, et al. v. San Diego Unified Port District,  
State Lands Commission

San Francisco Baykeeper v. State Lands Commission
City of Los Angeles v. Great Basin Unified Air Pollution Control District et. al.

City of Los Angeles v. California Air Resources Board, et. al.


2. THE COMMISSION MAY CONSIDER MATTERS THAT FALL UNDER GOVERNMENT CODE SECTION 11126(e)(2)(B) or (2)(C).

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. THE COMMISSION MAY CONSIDER MATTERS THAT FALL UNDER GOVERNMENT CODE SECTION 11126(c)(7) - TO PROVIDE DIRECTIONS TO ITS NEGOTIATORS REGARDING PRICE AND TERMS FOR LEASING OF REAL PROPERTY.

1. Consider and provide instructions to negotiators regarding negotiations over amendments to and assignment interest in an oil and gas lease of state lands (PRC 3242.1) currently held by Venoco, Inc. Negotiating parties: Venoco, Inc., State Lands Commission; Under negotiation: price and terms.
PROCEEDINGS

CHAIRPERSON NEWSOM: Hello, everybody. All right. We'll call this meeting of the State Lands Commission to order. All of the representatives are here, including me. I'm joined today by Deputy Controller Alan Gordon and Eraina Ortega, representing the Director of Finance. I don't know that we need to do the benefit for everyone about what State Lands does.

Everyone know what State Lands is all about?

I assume that's why you're here, and those watching. Trust me, we're not top of mind, most people. They tune in, because they actually have a reason to tune in. So I'll dispense with the formalities of what we do, and I'll just call the first item of business. It's the adoption of the minutes of our last regularly scheduled meeting of June 21st, and the special meeting that we had on July 12th. Is there a motion to approve the minutes.

ACTING COMMISSIONER GORDON: Move adoption of the minutes.

CHAIRPERSON NEWSOM: Second?

ACTING COMMISSIONER ORTEGA: I'd like to abstain.

CHAIRPERSON NEWSOM: We'll move the item without objection. They're unanimously, with one abstention, adopted.

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

Ms. Lucchesi, what say you?

EXECUTIVE OFFICER LUCCHESI: Yes. Okay. Good morning. First, I want to welcome Ms. Eraina Ortega, our new Deputy Finance Director to the Commission.

Next, I would like to discuss -- just give the Commission a brief update on our State lease information center database project. It's progressing very well on schedule and within budget. The software selected is Accela Automation's Land Management Solution, a web-based workflow platform that is used by a variety of local jurisdictions, including the City of Roseville, City of Sacramento, as well as the Coastal Commission.

Staff has been working with its consultants from Natoma Technologies and TruePoint Solutions to implement and update a lease database system that will more effectively track our lease status and payments. The focus of this first phase is concentrating on lease management from the Commission's action forward. This includes specifically addressing those deficiencies called out in the audit, such as compliance review, billing and revenue collection, and timely lease renewals.

Activities dealing with application processing and environmental review will be part of future implementations. This project, just as a reminder, is
being pursued under the direction of the Lieutenant Governor, and specifically addresses those deficiencies noted in the State Auditor's report that was critical of the timeliness of lease management activities, and the staff's use of disparate data sources to manage the Commission's leases. Project timeline indicates that completion will likely be in mid-December.

On the subject of leveraging technology for the Commission's efficiency. Commission staff recently contracted with OpenGov to create a web-based visualization tool that will enable staff and the public to easily access, visualize, and share Commission financial data. We hope to implement this application on the Commission's website by the end of the year.

CHAIRPERSON NEWSOM: Can I just jump in?

This is really exciting stuff for those that think open government is exciting, and there are a few of us that believe that. I mean, the budget process is remarkably opaque. It's incredibly difficult for people that are experts to understand oftentimes what they're adopting as it relates to budgets. I've seen this as a county supervisor, as a mayor, and now up here at the State.

It's not an indictment of any individual. It's just the nature of the game, and how it's operated. And
standard operating procedure has been confusing for the
best of us. And so what you're about to do, no other
agency in government has done, and I think it's exciting,
and I think it will be very meaningful for people. You'll
actually be able to understand budgets. I mean, you'll
actually be able to not be confined to agencies or to
particular departments, but you'll be able to focus on
your interest, and you'll actually be able to get
information about areas of interest, in a very navigable
way, a very transparent way.

It's very significant, for another reason, in
that it's risky, because you actually are putting
everything out there, and it's not gotcha government.
We're not waiting for the reporters to come in with a
Freedom of Information Act to do a 10-part investigation
please, if they do those anymore, even of the staff. It's
about being accountable and transparent in a way that can
inform the public so they can inform us to be more
effective and more efficient. So we're hoping folks take
advantage of this new platform of engagement and provide
us feedback. I'm really grateful to you, because you
didn't need to say yes to this. You could have, you know,
said well we're doing great -- you know, everybody said
oh, we're doing this, and next year we'll have this, but
you jump right in. And so I just want to compliment you
and thank you. And I hope it's a model to other agencies
in government.

    EXECUTIVE OFFICER LUCCHESI: Thank you. We're
looking forward to its implementation. We think it will
provide benefits, not only to the public, but to staff to
understand, you know, what its agency is doing too.

    CHAIRPERSON NEWSOM: Amen.

    EXECUTIVE OFFICER LUCCHESI: I also want to
provide the Commission with a legislative update on
various bills that affect the Commission.

    First, AB 723 -- or, excuse me, 727, which
eliminates the requirement of a lease from the Commission
for dredging on granted Public Trust Lands wherein
minerals are reserved to the State, if the dredge material
is disposed of at an approved on or offshore disposal
site, is not sold and is consistent with the proper
management of the granted lands has been signed into law
by the government, and takes effect on January 1st, 2013.
The Commission sponsored that bill.

    AB 691, which would require a trustee of granted
Public Trust Lands to prepare an assessment of the impacts
of sea level rise on its granted lands, provided that --
and provide that information to the State Lands
Commission, is on its way to the Governor. And that was
co-sponsored by the State Lands Commission and the State
Controller's office.

AB 881, which would have increased the maximum per barrel fee from $0.065 to $0.07 cents beginning January first 2015, and temporarily funded the Oiled Wildlife Care Network out of proceeds from the Oil Spill Prevention and Administration Fund. The Commission supported that bill. It has been placed on the inactive file and is now a two-year bill.

Senate Bill 814, which is a committee bill, would delay implementation of the California's ballast water performance standards for two years. Commission staff supported this bill, and it's on its way to the Governor for signature.

AB 1273, which would authorize the State Lands Commission to approve a mixed use development, including a multipurpose venue on the San Francisco waterfront at Piers 30/32 on land that is held in trust by the City and County of San Francisco, if the Commission finds that certain requirements have been met. That is also on its way to the Governor for signature.

SB 630, which continues and amends the Tahoe Regional Planning Agency's bi-state compact, declares that the State of Nevada has agreed to repeal its 2011 statute requiring its withdrawal from the compact, and creates the Lake Tahoe Science and Lake Improvement Account, which
will be funded by rental income from surface leases that
the Commission authorizes for Public Trust Lands at Lake
Tahoe. That is also on its way to the Governor for
signature.

The next order -- subject I want to brief the
Commission on is its -- Commission staff recently held a
public meeting on June 19th for the residents of the Sandy
Beach community, which is a small waterfront community
near the City of Vallejo along the Carquinez Strait.
Staff is continuing its efforts to ensure that those
occupying State property are brought under lease with the
Commission.

Towards that end, we usually hold public meetings
with the affected community to educate them and to hear
from them about their concerns and our efforts for
bringing those folks that are encroaching on State
property under lease.

We are currently reviewing and receiving comments
from those who attended our public meeting, and we will
respond to all comments appropriately and encourage the
submittal of lease applications in the near future.

Of the 40 improved lots at Sandy Beach, 37 have
improvements that encroach onto State property. We only
have currently six active leases and seven additional ones
are in holdover. So we think there's a tremendous amount
of progress that can be made in terms of bringing these folks under lease.

And finally, I want to recognize one of our long-term staff members, Linda Smallwood, who is going to be retiring within the next month. She has spent 22 years of service to the Commission, 17 of those years was spent primarily organizing and implementing these Commission meetings, which is no small feat.

But she has made them over the past 17 years run very smoothly and effectively, and we will miss her, but we're also excited for her to embark on her new adventures.

CHAIRPERSON NEWSOM: Is she around?
EXECUTIVE OFFICER LUCCHESI: You know, there she is.

CHAIRPERSON NEWSOM: Look at that. Quietly ensconced. Thank you.
MS. SMALLWOOD: You're welcome.
CHAIRPERSON NEWSOM: We're always on the -- I feel like we're on run as the Commission. We're always someplace else. So thank you for all your hard work.
MS. SMALLWOOD: My pleasure.
EXECUTIVE OFFICER LUCCHESI: That concludes my Executive Officer's report.
CHAIRPERSON NEWSOM: Excellent. All right.
Well, the next item up for consideration is the adoption of the consent calendar. I think we've got, I was going to say a few hundred, but over 100 items. So I'd ask if you -- Madam Director, if there's any items that you know we should remove or consider to remove. I know I've got a few folks here that want to comment on some items. I'm sure you'll incorporate those as well.

EXECUTIVE OFFICER LUCCHESI: That's correct.

Items C44, C75, C79, C92, C108, and C109 are removed from the agenda and will be considered at a later time.

Items 106, C113, and C114 are moved to the regular agenda.

CHAIRPERSON NEWSOM: Okay. Great. All right. Is there anyone in the audience that wishes to speak on any items that are still on the consent calendar? I know a number of you have indicated interest in 113 and 114, but we're moving that later to the regular calendar.

Anyone to speak to the remaining items?

I see no one interested.

So we've got the rest of the consent calendar for consideration. Is there a motion to adopt the remaining consent calendar?

ACTING COMMISSIONER GORDON: Move adoption minus Item 44, 75, 79, 92, 108 and 109 which we'll put over to a future meeting. And Items 106, 113 and 114, which shall...
be on the regular calendar for later this morning.

   CHAIRPERSON NEWSOM: Fabulous.

   ACTING COMMISSIONER ORTEGA: Second.

   CHAIRPERSON NEWSOM: Seconded. Without objection, we'll move those forward. The consent items are now approved.

   ACTING COMMISSIONER GORDON: Did we vote?

   CHAIRPERSON NEWSOM: We just did.

   ACTING COMMISSIONER GORDON: Did we?

   CHAIRPERSON NEWSOM: Yeah. Motion approved, seconded, without objection. It's all good. Unless, you know, the attorneys say, you know. We will replay it.

   So, Jennifer, what do we have. Do you want to go to the regular consent or do you want to pull -- what order -- what works from your perspective?

   EXECUTIVE OFFICER LUCCHESI: Yeah. Let me recommend an order for the regular agenda. I recommend that we hear items in this order, 114, 117, 118, 119, 120, 121, and then move on to 106, and conclude with 113.

   CHAIRPERSON NEWSOM: Fabulous. We'll have a conversation later on how you put that order together.

   (Laughter.)

   EXECUTIVE OFFICER LUCCHESI: Rolling the dice.

   CHAIRPERSON NEWSOM: But why don't we start.

Then the first item we'll hear is 114. And I guess that's
the adoption of a standardized reporting form and
approving a workload analysis related to your grant loans
program.

EXECUTIVE OFFICER LUCCHESI: Yes. Sheri
Pemberton our Chief of our External Affairs Division will
be giving that presentation.

CHAIRPERSON NEWSOM: Excellent.

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Thank
you. Just as background, in 2012 the Governor signed
legislation into law requiring the Commission to do a
workload analysis of its staffing needs for its Granted
Land Program, and also authorize Commission staff to
develop a standardized reporting form for grantees of
Public Trust Lands.

Both of those elements are intended to assist the
Commission in its oversight of granted Public Trust Lands.
Current law requires every grantee to provide the
Commission with detailed information about their trust
expenditures and revenues. And there are over 80 that
include California's major ports, harbor districts, and
marinas. Many grantees to fulfill this requirement give
the Commission their CAFR, which is a very big document
that has a lot of information not specific to the grant,
which makes it very difficult for staff to review the
expenditures and determine their trust consistency.
So the standardized reporting form will help the Commission staff with its review. It's a simple form that's user friendly and simply summarizes the revenues and expenditures. It will also promote transparency and accountability, because this information would be publicly available on the Commission's website.

The workload analysis element of this item summarizes the resources necessary for the Commission to meet its oversight responsibilities. It breaks down staffing needs in regard to boundary, title, legal work, and administration. And it also includes a chart that shows all the different specific approvals and responsibilities over the various grants.

It's intended to illustrate the scope of the Commission's work and describe our staffing needs to meet our responsibilities. It also provides some background and context over granted Public Trust Lands, and also details the grantee's fiduciary responsibilities. And it also details the Commission's granted lands goals and objectives, including the assistance it would like to provide to grantees and facilitate economic development on trust lands and protect maritime uses.

I will just close by adding, it's also intended to be responsive to the 2011 audit that criticized the Commission for lacking a monitoring program over granted
lands.

So that concludes my presentation.

Thank you.

CHAIRPERSON NEWSOM: Great. Are there any comments from the Commission?

ACTING COMMISSIONER ORTEGA: Yeah, Mr. Chair, I would like to recommend splitting the action on this item into two parts. And so I would like to -- I'm happy to move in the agenda, there are three actions, and I would be happy to move Items 1 and 3 -- move to approve 1 and 3, and then I would like to have a separate vote on Item 2.

CHAIRPERSON NEWSOM: Okay. And I know we have some public comment on this as well.

Jennifer, just on that, what's your assessment? Does that work from your perspective.

EXECUTIVE OFFICER LUCCHESI: Yes, it does. I can't turn this on obviously. By the way, you're two feet away from us, so we can hear you. Yes, that works. That is perfectly fine.

CHAIRPERSON NEWSOM: Okay. And I know Andrew, you're here. You want to talk about this. And to the extent that we have this consideration on items 1 and 3 and 2 loved to hear your feedback on that as well.

Thank you.

MR. ANTWIH: Thanks, Mr. Chairman and members.
Andrew Antwih here today on behalf of the Pacific Merchant Shipping Association. We support all three components of the staff recommendation. It's rooted in legislation that we sponsored, AB 2620 from 2011. And we agree with the way the staff has structured the recommendation to implement it. Workload analysis we think is very, very important. And the development of a standardized form could lead to some cost savings, because obviously we believe the workload analysis will lead to the conclusion that there should be some more staff to help do the monitoring.

From the local perspective, we believe we're partners with the Lands Commission in monitoring how these tidelands, granted lands are being utilized. And to the extent that we're investing multiple hundreds of millions of dollars in developing these granted tidelands, especially at the port, we have a very vested interest in making sure that these lands are being properly used towards their mission under the overall Tidelands Trust Act.

And so we think that it's a good idea here, and we would like to see the whole -- all components of the recommendation go forward.

CHAIRPERSON NEWSOM: Appreciate it. Thank you very much.
Anyone -- I had only one speaker's card related to this item. Anyone else wish to speak to this item? Seeing none, we'll close public comment. And to the Director, and as relates to separating Item number 2, the effect of that would be?

EXECUTIVE OFFICER LUCCHESI: I believe Ms. Ortega can correct me, but I believe the purpose for separating is that she would like to abstain from voting on Authorization number 2.

CHAIRPERSON NEWSOM: A lot of abstentions today.

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: So we can take it up in two parts. You can -- I believe she moved Authorizations 1 and 3. The Commission can vote on that, and then move on to item 2.

CHAIRPERSON NEWSOM: Excellent. Is there a motion to move forward Item 1 and 3?

ACTING COMMISSIONER ORTEGA: Yes, I move that.

ACTING COMMISSIONER GORDON: Second.

CHAIRPERSON NEWSOM: Second. Without objection, we'll move those two items forward.

And number 2, is there a motion to support?

ACTING COMMISSIONER GORDON: I will make a motion to support number 2.

CHAIRPERSON NEWSOM: And I will support that, and
you will abstain.

ACTING COMMISSIONER ORTEGA: And I will abstain.

CHAIRPERSON NEWSOM: And we will move that as well.

That then concludes this item, and we will then move into Item 117.

EXECUTIVE OFFICER LUCCHESI: And again, Sheri Pemberton with our External Affairs Division will be presenting on that.

EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Thank you. This item requested the Commission adopt a resolution in support of the 2013 Lake Tahoe Restoration Act, which authorizes over $400 million over 10 years to fund environmental restoration projects at Lake Tahoe intended to combat invasive species, improve water quality, address pollution, and protect against wildfires.

Just as background, legislation was enacted at the -- in Congress in 2000 that authorized over 300 million for the same purpose, and it was very successful in creating various partnerships among State, local, and private entities to improve Lake Tahoe. This legislation builds on that. It's authored by Senator Feinstein and co-authored by Senator Harry Reid, Dean Heller, and Senator Boxer.

It's pending in the Senate, and we would ask for
your support of this resolution and support of the 
legislation.

CHAIRPERSON NEWSOM: Here, here.

Any comments from the Commission?

Anyone here wish to speak to this item?

And let me just -- I'll extend. I had an 
opportunity to be up there at the summit once again, and 
just thank Governor Brown, Governor Sandoval of Nevada, 
and obviously appropriately the leadership in particular, 
Senator Reid and Feinstein. And, you know, as they say, 
when all the dust settled on that last effort, I haven't 
heard one critique. It's been remarkably successful, and 
we're encouraged by this leadership and stepping it up and 
not running the 90-yard dash in terms of the efforts here, 
since a lot of progress has been made. So enthusiastic 
support.

Jennifer, any comments on this?

EXECUTIVE OFFICER LUCCHESI: No.

ACTING COMMISSIONER ORTEGA: I will also abstain 
from this item. And just by way of explanation for the 
abstentions.

CHAIRPERSON NEWSOM: Yes.

ACTING COMMISSIONER ORTEGA: It's simply 
tradition that the Department of Finance is not going to 
take action on State and federal legislation or items that
would clearly be budget related, so I will abstain from this.

CHAIRPERSON NEWSOM: You don't want to break tradition?

ACTING COMMISSIONER ORTEGA: Not today.

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: Not at her first meeting.

ACTING COMMISSIONER ORTEGA: Maybe later.

(Laughter.)

CHAIRPERSON NEWSOM: Not today. A great first impression.

(Laughter.)

CHAIRPERSON NEWSOM: Is there a motion to support?

ACTING COMMISSIONER GORDON: I'll move support of the resolution.

CHAIRPERSON NEWSOM: Great. And without objection, we'll move that item.

Forward to Item number 118.

EXECUTIVE OFFICER LUCCHESI: Item 118 is an informational staff report. No action is necessary by the Commission. Holly Wyer will be presenting on a report that she was the primary author on entitled Marine Renewable Energy and Environmental Impacts advancing
California's goals.

CHAIRPERSON NEWSOM: And Holly, just because I'm so supportive of this fellowship, a little background -- just a very brief background, because you came here under a great program. And you're now proving the efficacy of that program by this presentation you're about to give.

MS. WYER: Yes. I came here through the Sea Grant Program, which works to bring science into policy and decision making. I think it's a great way to get talented young people with advanced degrees into public service.

CHAIRPERSON NEWSOM: That's great. Ms. Lucchesi, what do you have, three folks that you pulled in?

EXECUTIVE OFFICER LUCCHESI: Yes. We've had three Sea Grant Fellows, and two of them who have become full-time employees here at the Commission. And both of them Holly and then Kelly Keen, who worked on our Geophysical Permit Program have made tremendous efforts and contributions to the Commission's activities. We're so grateful and lucky to have them.

CHAIRPERSON NEWSOM: Yeah. It's a great program. Congratulations, Holly.

MS. WYER: Thank you.

(Thereupon an overhead presentation was presented as follows.)
MS. WYER: The PowerPoint should turn up right now.

EXECUTIVE OFFICER LUCCHESI: And hopefully, you have copies in front of you of the PowerPoint, as well as a report.

CHAIRPERSON NEWSOM: Perfect.

MS. WYER: So I have been working as part of your Renewable Energy Program and I've been focusing specifically on marine renewable energy.

The development, planning, and permitting of emerging technologies, including marine renewable energy projects, has presented challenges to both project developers and agency staff.

A number of unsuccessful attempts to develop these projects off California has resulted in interest from Commission staff, under the leadership of Lieutenant Governor Newsom, to analyze why proposals have been unsuccessful and how to move forward from here.

---o0o---

MS. WYER: Anyway. One of the results of this work was the understanding that information on environmental effects caused by these projects was not available in a convenient or easy to use format for agency staff. Existing information was very dispersed both in terms of where research had occurred and where information
from these studies could be accessed.

Building upon the previous work done by other State entities, and an effort to bridge this information gap, the Commission staff has prepared a report, Marine Renewable Energy and Environmental Impacts: Advancing California's Goals.

The report is meant to provide an overview of marine renewable energy and potential impacts for agency staff, interested stakeholders, and project developers. The report compiles and synthesizes existing information on marine renewable energy into a framework that is familiar to California policy makers, namely the California Environmental Quality Act.

Using the California Environmental Quality Act as a framework allows this report to be useful to many public agencies and other interested stakeholders in California.

--o0o--

MS. WYER: The report discusses offshore energy potential in California for offshore wind, wave, and tidal energy.

--o0o--

MS. WYER: The general types of wave, tidal, and wind energy devices.

--o0o--

MS. WYER: Common are likely types of
environmental issues and impacts to consider when developing or reviewing project proposals, applicability and limitations of existing information to the California marine environment, future research needs and next steps for California.

--00o--

MS. WYER: Finally, I'd like to provide you with a brief update on staff's current activities. On July 16th, 2013, Commission staff received a presentation from a consortium of parties being coordinated by Pacific Marine Renewables, with an interest in marine renewable energy development off of California.

This consortium has applied to the U.S. Department of Energy for a grant to determine the feasibility of siting a wave energy test center off of California. They are proposing two different sites to the U.S. Department of Energy right now. One is -- both are in federal waters. One is off of Humboldt and the other is off of Platform Irene.

What's up on the screen right now is an artist's rendering of what a full test site would look like off of Platform Irene.

As you can see, there's both wave energy and some wind energy devices up there. And part of that is because it's relatively straightforward to test both floating wind
and floating wave devices in the same sort of test facility, so a complete test facility may be able to handle both kinds of devices.

The grant that was applied for involves performing paper engineering studies only. No equipment would be physically present in the water. Commission staff had provided a letter of support for the grant application. And the grant awards are expected to be announced in October.

CHAIRPERSON NEWSOM: And what's the size of the grant roughly? When was our application.

MS. WYER: Bill Toman with Pacific Marine Renewables is here and I'm sure he can tell us.

MR. TOMAN: Just to answer your question Lieutenant Governor, it's a $750,000 federal grant. We have matching funds for another $300,000 contributed by State universities.

CHAIRPERSON NEWSOM: Great. Fabulous. Thank you.

MS. WYER: Staff will continue to provide updates as necessary regarding these efforts. If the funds are awarded to this project, there may be additional opportunities for the Commission to participate.

ACTING COMMISSIONER GORDON: Tell me, what is the reason for going floating wind as opposed to stationary
ACTING COMMISSIONER GORDON: Why floating wind as opposed to a traditional stationary wind source? Is the ocean too deep there?

MS. WYER: Yes, because the sea floor off of the west coast descends much more quickly than the east coast. And so stationary wind turbine technology is not feasible here. That's the main point of innovation in offshore wind off the west coast is that they need to develop floating bases for these wind turbines.

CHAIRPERSON NEWSOM: Well, let me -- you know, thank you for the follow-up and, you know, in absentia, I know Kevin Schmidt in my office has been working very hard on all of this with our other State agencies and our federal partners. And so I'm really appreciative.

Again, I'm happy to be critical, but I have no reason to be so far in this agenda. I don't want to pile it on, and come across as soft.

But you guys have made great progress here, and you know, I don't know what I don't know, but I've long been intrigued by these technologies. And I think California, in its traditional stead, is always on the lead and the forefront.

And it's interesting, just a very quick aside.
I've been very involved in this America's Cup. And New Zealand, of course, is cleaning our clock for the moment. It's not over yet.

(Laughter.)

CHAIRPERSON NEWSOM: And the technologies that are coming out of New Zealand are very interesting. And because of the number of -- I think the entire country of New Zealand is -- there's not a car on the street, and those that are still in New Zealand and not in San Francisco that are celebrating their team.

There's so many folks that have come from New Zealand around this technology, that are advancing it very aggressively, and just furthers -- I guess is a long-winded way of saying, furthers my enthusiasm for the efforts that this agency is taking. Some of the work at the Ocean Protection Council and their support of some of our efforts and other State agencies. So I'm grateful for the progress and for the sincere effort here, and now for the efforts to secure some real resources, and all the partnerships.

And, Chris, you've been incredibly helpful in connecting all these dots, these public and private agencies, to give us a shot to potentially do something meaningful in the very near term.

So thank you.
MS. WYER: Thank you.

CHAIRPERSON NEWSOM: So that was just an information item?

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON NEWSOM: Does anyone want to speak to this item?

We see none. We'll close public comment on Item 118, and we'll move to the next item, which I believe is 119.

EXECUTIVE OFFICER LUCCHESI: Item 119 will be presented by Jennifer DeLeon, our renewable energy coordinator.

(Thereupon an overhead presentation was presented as follows.)

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Good morning. Thanks for having me here. I'm Jennifer DeLeon. I'm in the Division of Environmental Planning and Management. I'm an Environmental Program Manager there.

I, generally, have been focusing my efforts on issues of statewide importance, planning importance, policy development. I'm also the coordinator for the State Lands Commission's Renewable Energy Program. So Holly is one of my staff people. She's been focusing on the marine environment, and I've been working on the Desert Renewable Energy Conservation Plan or the DRECP.
So this is just a really super quick overview of the status of our participation in the DRECP. And we have come to the point where we are ready to submit our application for an incidental take permit to the U.S. Fish and Wildlife Service.

We've been participating in planning meetings and developing species lists, mapping of development focus areas. And we've been enthusiastically invited by the other agencies involved to submit an incidental take permit application.

The requirement for the U.S. Fish and Wildlife service in order to do that is preparation of the habitat conservation plan. The DRECP is that habitat conservation plan that would support issuance of the incidental take permit.

We've included today a draft. It is not complete, but it gives you a picture of what that permit application looks like and how the DRECP supports that application. I'll just say that the main advantage of going this direction is a gigantic streamlining benefit. This habitat conservation plan is -- provides the envelope, the pre-screening that's necessary to facilitate rapid consideration development of lease applications and rapid approval.

As the permittee, the State Lands Commission
itself would have delegated authority to issue incidental
take authorization to lessees as they bring in
applications to develop our lands. They wouldn't have to
go out and do their own long and languishing environmental
process and consultation with the State and federal
wildlife agencies, because it would be almost like a
pre-approval.

Our role would simply be to sign on to agreeing
that we would only issue leases that required the lessees
to implement activities as described in the DRECP. So as
long as we hold our delegated permittees to the
conservation requirements and construction and operational
requirements, then we would be able to provide that
delegated take authority.

ACTING COMMISSIONER GORDON: Jennifer, is this
essentially programmatic EIR?

ENVIRONMENTAL PROGRAM MANAGER DeLEON: It is.

So what I brought today were just three slides
that show our areas that we're most interested in
developing, because they are areas that we have the most
consolidated land holdings.

In our -- in what is now the preferred
alternative, we have about 20,000 acres of school lands
contained in development focused areas. And our
applications states that we have the desire to develop
all -- as much as possible of those lands.

So mostly we're in the Lucerne and Johnson Valley areas. This is the vicinity map.

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ENVIRONMENTAL PROGRAM MANAGER DeLEON: This is our Lucerne Valley. We actually have an application for this area already. They're on hold pending further development of the DRECP.

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ENVIRONMENTAL PROGRAM MANAGER DeLEON: And this is our Johnson Valley area. So you can see that we've got some good consolidated parcels. And if we were a participant in this plan, it would be a great marketing tool to bring applicants in the fold and get some renewable energy going on our school lands and make money for STRS.

CHAIRPERSON NEWSOM: Great.

EXECUTIVE OFFICER LUCCHESI: I just wanted to add -- thank you, Jennifer -- that this is one element piece of the DRECP plan. And the next steps are to publish the CEQA and NEPA documents along with the plan and circulate them for public review, that the administration and the Interior Office is coordinating.

Once that has been finalized and circulated and agreed upon, we will bring that plan, along with the CEQA
review, to the Commission for final authorization to be an official participant. So this is one step in this bigger plan, and we will be bringing -- coming back to the Commission for final authorization to be a formal participant in the near future.

CHAIRPERSON NEWSOM: Great.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: That's correct. Yeah, the draft should be on the street in about one month. It will have a 90-day public review period, and then the team will be looking at developing final DRECP EIS/EIR next summer to next fall. And at that time, if it were approved in some form, the Commission would have an opportunity, at that point, to make a final decision on whether to sign the implementation agreement, which is actually the binding contract for making the implementation happen.

CHAIRPERSON NEWSOM: Great. Just give me a sense if it, how long have you been working on this?

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Including when I was at the Department Fish and Game?

(Laughter.)

CHAIRPERSON NEWSOM: Yeah.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: From being at State Lands Commission, since 2010, the whole time I've been here.
CHAIRPERSON NEWSOM: Just trying to sort of organize this framework and this kind of collaboration.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Yes. They didn't really think about us at first. So when I moved over here and things -- we started talking. At that time, the executive director of DRECP was Michael Valentine, who's very familiar to the State Lands Commission, and we reached out to each other and eventually signed a memorandum of understanding in 2011.

CHAIRPERSON NEWSOM: That's good. I mean self-evidently, from my humble perspective, fabulous. So it's encouraging, the progress, and grateful.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Thank you. I would also that it's really providing some great momentum to get serious about engaging in land exchanges with the Bureau of Land Management. That will bring even more school land property under our control, including, at this point, in the draft exchange agreement two permitted projects, permitted but not constructed projects.

CHAIRPERSON NEWSOM: Great. Fabulous. Anyone here wish to speak on this item, pro or con, neutral?

We'll close it.

Any other additional comments from the Commissioners?

Is there a motion to support?
ACTING COMMISSIONER ORTEGA: I'll move the staff recommendation.

ACTING COMMISSIONER GORDON: Second.

CHAIRPERSON NEWSOM: Without objection. Thank you very much. Appreciate it. Keep up the good work.

Next item on the agenda is 120.

EXECUTIVE OFFICER LUCCHESI: That's correct.

Item 120, Jennifer DeLeon will be giving that presentation.

CHAIRPERSON NEWSOM: Great.

(Thereupon an overhead presentation was presented as follows.)

CHAIRPERSON NEWSOM: Jump in.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: I'm just wondering if I'm the only one having a déjà vu view moment right now.

(Laughter.)

ENVIRONMENTAL PROGRAM MANAGER DeLEON: We are going to be talking about geophysical surveys.

Item 120 is for the Commission's consideration of adoption of a Mitigated Negative Declaration, an approval of a general permit for the Commission's Offshore Low Energy Geophysical Survey Permit Program.

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ENVIRONMENTAL PROGRAM MANAGER DeLEON: And what I will do today is walk through the background of what has brought us here today, some brief points on how we approached the Mitigated Negative Declaration, the science behind it, our process with peer and public review. Then I'll include the program review report, which was -- which we feel is a very important piece of running this program, because it describes how to improve our processes and implementation. And finally, a wrap-up and recommendation.

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ENVIRONMENTAL PROGRAM MANAGER DeLEON: So basically, our goal in getting to this point is to improve and maximize our efficiency by using -- by having a tool, i.e., the general permit, that allows us to capture most geophysical surveys under the umbrella of this Mitigated Negative Declaration. This has advantages of time efficiency, cost efficiency, as well as timely running of surveys.

There are about 10 to 12 surveys per year based on our history. And to have each and every one of those go through an individual CEQA development process would not be timely, and it would be very redundant.

So we want to capture these surveys. And to do this, we needed to update the environmental analysis. We
have to decide on what measures to implement to ensure that no significant impacts to the environment would occur, because that's the requirement for a Mitigated Negative Declaration.

And then we want to identify and implement recommendations for increasing our oversight and transparency.

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ENVIRONMENTAL PROGRAM MANAGER DeLEON: These surveys are important for several reasons. They serve the function of scientific investigations, safety, and commercial purposes. And I've put a few of those up on the screen.

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ENVIRONMENTAL PROGRAM MANAGER DeLEON: So what brought us here? What's going on?

Well, in 19 -- we've been issuing these permits pursuant to Public Resources Code 6826, since its passing. In 1984, the Commission adopted a Mitigated Negative Declaration for the program, and that is what has been in use since then.

In 1987 and 1998, there -- the Commission took action on several items related to the OGPP program. In 1987, the Commission prohibited the use of air guns or survey techniques that had more than two kilojoules of
energy input, and 1998 instituted a requirement for a Marine Wildlife Contingency Plan.

   Obviously, 1984 was a long time ago. We understand the need to update the program, based on the current understanding of acoustics in the ocean and its interaction with marine life.

   So in 2011, we finally were able to secure some funds from the Ocean Protection Council. They gave us three tasks, to develop the Mitigated Neg Dec, to provide a scientific review, and to provide a program review.

   The scientific review is included as one of the appendices of the Mitigated Neg Dec, and the program review has been provided separately, and we've got several recommendations in there to improve implementation.

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   ENVIRONMENTAL PROGRAM MANAGER DeLEON: So there's a few differences. I've tried to highlight those here. Both the current program and the proposed program prohibit the use of air guns. However, we're proposing to change the way that that is measured by eliminating the use of the two kilojoule energy input threshold, because it is not useful.

   Our current understanding of the science is that what is the most useful is to determine the sound propagation through the water, and how far harmful decibel
levels would propagate to reach marine life within that area. So we are moving towards a sound modeling criteria and away from kilojoule energy input threshold.

In the proposal that we have now, we are looking to have surveys be screened every time, so that it's not a blanket permit. It's not a free for all. Once you get your general permit, that there are certain requirements that each and every survey has to follow, and staff would be looking at everyone of those individually for compliance.

We're also -- the other major revision that we're proposing to make through the program review report is vastly increased oversight and accountability, tracking and effectiveness monitoring.

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ENVIRONMENTAL PROGRAM MANAGER DeLEON: So just the basics. This goes back to why we changed from kilojoules to model sound output. What's become evident is that the effects on marine life are dependent on the sound level that they experience in the water. The primary factors contributing to how far that harmful sound level travels are the frequency of the sound wave and the decibel level output. There are other variables, such as water depth, salinity, et cetera, but these are the two primary factors that we looked at.
In this case, unlike last year's high energy survey, we are looking at equipment that, generally speaking, is highly directional. The beams are directed down toward the sea floor, rather than in all directions. This greatly changes the amount of radial sound propagation that takes place, and was a very important part of our analysis.

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ENVIRONMENTAL PROGRAM MANAGER DeLEON: The next few slides are just examples of the equipment that we are looking to include under this program, and the equipment that -- basically, the equipment that we modeled in our hypothetical typical survey scenario.

So we've put up the frequency and the decibel sound output. Mostly, we're looking at mid to high frequency equipment and highly directional sound beams. And also these are some pictures of the equipment or the types of images that they produce.

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ENVIRONMENTAL PROGRAM MANAGER DeLEON: So you can see the one on the far right is the sort of almost a 3D-ish bathymetric looking map. So that's one of the primary reasons to do these surveys is to get this detailed sea floor mapping.

ACTING COMMISSIONER GORDON: Jennifer, can I
just -- as you're going forward, if possible, could you address -- we have a letter from Natural Resources Defense Council, which requests certain amendments with regard to equipment. And if it would be possible as you're going through, can you address these specific requests that they've made to be included. That would help me in my final vote.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Sure. Okay. So specifically there are requests for certain equipment to be modified.

ACTING COMMISSIONER GORDON: Um-hmm.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: I believe that one of the requests had to do with boomers. That's the one on the left-hand side of this slide. You can see that there is a pretty big range of frequencies. We had a piece of, what we would call, typical equipment that was modeled. That was based on conversations with surveyors, with industry. So we used that, because that's what they say that they use.

However, there is equipment that, you know, goes at a different frequency. Boomers are the pieces of equipment that generally has the farthest radial distance for sound propagation. There is a concern, I believe, that the letter was expressing -- and I'll let Karen Garrison speak for herself, but I believe that the concern
there is that larger radius for use in particularly
sensitive habitats, where there are, for instance, more of
a harbor porpoise that -- that they are resident there, so
the large radial distances could affect them more than if
it were used in another place.

ACTING COMMISSIONER GORDON: So does staff have
any objection to the amendment they've requested with
regard to these accepting boomers proposed for habitat
porpoise habitat?

ENVIRONMENTAL PROGRAM MANAGER DeLEON: I don't
believe we have objection. I think that what we wanted to
do was work with them in order to figure out the best
location to put that restriction.

ACTING COMMISSIONER GORDON: Okay.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: But
conceptually, I think, yeah, we don't have any objections.

EXECUTIVE OFFICER LUCCHESI: I think the
question, if I may just add, is whether we include -- if
we except boomers in specific locations from the permit
itself or we include that as part of our screening process
for each survey that's submitted under a permit.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Yes.

EXECUTIVE OFFICER LUCCHESI: So I think that's a
decision point for the Commissioners is do you include
that -- do you except boomers to be used in -- excuse me,
in harbor porpoise habitat under the permit, except that
from the permit itself, or is that something that you'll
direct staff to consider each time a survey is submitted
under a permit, and to address the impacts to those types
of habitat with that particular equipment.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Okay.

EXECUTIVE OFFICER LUCCHESI: Either way, staff
doesn't have any objections, but I suspect that you might
hear from industry who may have some thoughts on that.

CHAIRPERSON NEWSOM: Good. Good.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: But
generally speaking, I would say that we're neutral. We're
not opposed to that.

The other main issue at hand was the use of
multibeam echosounders. Again, this has to do with the
fact that while we modeled a 200 kilohertz frequency,
there are models of this equipment that run at a much
lower frequency. And the concern on that was that if we
just said multibeam echosounder that that could be too
loose and allow people to come in and say, well, it's a
multibeam echosounder, but it's 12 kilohertz instead of
200 and that makes a big difference.

One of the requests is to -- there's sort of the
options were to limit it to that 200 kilohertz. Our
preference would be to tie it back to the significance
criteria identified in the Mitigated Neg Dec, because what we're really talking about here are how all the variables mix together to create the total sound propagation distances.

So, for example, if something -- if they were to use 170 kilohertz or 150 kilohertz, but also the decibel output was reduced, would that still be within the modeled distances, threshold distances in the Neg Dec? And we believe that if it were, then it should be allowed. It's consistent with what we analyzed.

So we'd prefer, I think, to stay on a -- with language that ties it to that -- to those distances, rather than tying it to a specific frequency, because we just don't feel that that's as useful.

And I'll leave it at that, unless you have another question.

CHAIRPERSON NEWSOM: We've got a number of people that want to speak, including a representative from the NRDC, Surfrider, and others. And so stay tuned and prepare a response.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: I know. Don't I seem prepared?

CHAIRPERSON NEWSOM: You do.

Why don't we -- I'll ask Karen Garrison -- Karen, if you could come up first, and then Brad Snook, and we'll
start the public comment, and then Jeff Carothers afterwards.

  ENVIRONMENTAL PROGRAM MANAGER DeLEON: Okay. Would you like me to be done now?
  CHAIRPERSON NEWSOM: Yeah. Well, let's get in. Actually, I think it's a good point to break anyway, because we're having the conversation that I know that they want us to have.
  ENVIRONMENTAL PROGRAM MANAGER DeLEON: Should I go sit down.
  EXECUTIVE OFFICER LUCCHESI: No. Why don't you --
  CHAIRPERSON NEWSOM: Yeah, just sit on the side.
  EXECUTIVE OFFICER LUCCHESI: Sit on the side, Jennifer.
  CHAIRPERSON NEWSOM: Just right there. We're going to get you a seat, when Chris Garland gets up there and provides it to you.
  Just sit in one of those. There we go.
  MS. GARRISON: Okay. Greetings, Commissioners. It's good to be here today. I'm Karen Garrison speaking for the Natural Resources Defense Council and our 1.4 million members and activists.
  I want to thank you for this very necessary update to the geophysical permit. We're very pleased that you're moving forward with it. We encourage you to direct
staff to embark on a rule-making as soon as possible. We also ask that you direct staff to provide an implementation report after six months or a year on how the new program is working with recommended changes to improve the process or reflect new science, as necessary.

Because the State's landmark new network of marine protected areas was just completed at the end of last year, we want to keep that network in full view as you consider the update to this permit.

Surveys that could harm marine life or habitat in marine protected areas, especially marine reserves, should be avoided to the extent possible, unless they advance the purposes of the Marine Life Protection Act.

To that end, we support the permit's requirement that survey operators consult both the State Lands Commission and the Department of Fish and Wildlife if work is proposed in or would impact a marine protected area. And we appreciate staff's willingness to clarify language on that subject in Section 5G of the permit. And there's more details in the letter. I won't get into those details here.

To ensure transparency and facilitate public review, we respectfully ask that you add a requirement in the general permit "Contents of Notice" section that any marine protected area near or overlapping the project area
be shown in the proposed project maps. We think that would be really helpful. The public doesn't have the ability to overlay GIS maps on a project area. The staff and project proponents do have that ability, so we'd like to make sure that happens.

The details of our remaining recommendations are in the letter that I think just got passed around. I'll quickly summarize them. Each one involves revisions or additions of just a few words, but we think they would significantly strengthen the permit, and help make sure that we don't unintentionally let harmful projects through.

So the first one, the intention here I think is to only include, in the general permit, projects that are substantially similar in their acoustic characteristics to those that were modeled in the marine -- in the Mitigated Negative Declaration. And Jennifer explained that process.

We feel that the permit, as written, doesn't actually achieve that purpose. It has a list of equipment types, but you have to go back to the Mitigated Negative Declaration to see what the -- what acoustic characteristics are considered acceptable. So we'd like to see that link made explicit. And our recommendations under number 1 in our letter try to accomplish that
purpose.

So the second recommendation in our letter would except boomer -- except, take out, boomers in harbor porpoise habitat from the list of authorized equipment, because boomers have, by far, the largest acoustic propagation distances of the modeled sound sources, and harbor porpoise is, by far, the most vulnerable species in the near-shore environment.

For this species and source, the correction factors applied in the Mitigated Negative Declaration, in our view, aren't appropriate, so we'd like to see that exception made. We understand Jennifer's point about going back to the Mitigated Negative Declaration. I think there is a variety of ways you could handle that, but we definitely want to call attention to boomers and harbor porpoises.

Okay. The third recommendation in our letter is to revise the Mitigation Measure Bio 6, which we consider an important measure related to making sure the pulse lengths are as short as possible, to add a provision that operators should, not withstanding that recommendation to the maximum extent practicable, avoid using pulse lengths with rise times shorter than 20 minutes.

Sorry. Exactly.

Second. Sounds with those rise times have been
shown to induce acute startle responses in marine mammals experimentally, as well as in other animals.

The fourth recommendation in the letter is to add two mitigation measures. One is to design track lines to avoid movements from sea to shore in order to avoid strandings and embayments. The other would require permittees to show that they've planned the surveys to avoid times of year when particularly sensitive species are present or engaged in activities that might make them particularly vulnerable, like calving.

So we've also raised some issues of concern about some of the methodological assumptions in the environmental analysis, like the correction factors for behavioral impacts. In response, staff has made one appropriate adjustment, and we hope others will be considered in the future as projects are evaluated.

We really appreciate staff's willingness to listen to our concerns. We also commend you for involving the Ocean Protection Council, and doing both an independent science review and a program review. Both have been very helpful contributions to this process, and we think that's a good model.

So in short, if the Commission adopts our recommendations, I think we can support this permit.

CHAIRPERSON NEWSOM: All right. Appreciate that.
So as we move to the next speaker, if you guys could look more granularly at these recommendations and give us a sense of your feeling about the amendments and what you're willing to do at this moment, and then we'll get back after the end of public comment, and let's dialogue around that.

But I'll also Brad Snook. Brad, you're up, and come to the mic.

MR. SNOOK: I have some documents for -- those are fishing blog data, specifically tailored for quantifying the 2010 to 2012 travels of commercial fishing vessels and the reports to Department of Fish and Wildlife. And explicitly, it tells you where they're getting the fish and how much the fish are valued. And I address that in what I'll be reading a little bit later.

I think where Surfrider differs a little bit is that we have an opportunity for the Commission here to simplify policy. And since the beginning of the year, our chapter in San Luis Obispo has been sending letters to staff, asking whether the seismic testing should be halted, until this process has worked itself to an end.

And in reading the documents that came out during the process in the scientific literature, and the enlarging of safety areas, and also some of the information that came out on the sub-bottom profilers, I
think some of our concerns were confirmed in a lot of ways.

Low energy seismic testing is not low energy, and so as I go forward and I read what I've brought to the Commission today, I hope that we'll be able to kind of take what is an extremely large document, over 400 pages, and staff has really combed through a lot of information to come to the recommendations. And they've always been accessible to us, so, I mean, it's been a good working relationship and we hope that will continue.

But I hope the Commissioners will look at this and say it's an opportunity after over 30 years to simplify the process in a way that brings industry and some of our environmental concerns together, and then addresses those in one fell swoop.

Again, my name is Brad Snook. I'm the Chair of our county's chapter of Surfrider Foundation. The overall changes to the OGPP policy are largely insignificant without a planned measurable reduction to ocean noise pollution. The OGPP update does not quantify risks to sustainability or to public health. Despite that, the Commission still has an excellent opportunity to bring this program in phase with other agencies in California.

In order to do that, you will have to surpass staff's limited recommendations, and you will have to ask
yourself how can this OGPP update help protect our marine resources and ocean users in a measurable, sustainable way?

We hope the Commission's new policy will become part of the solution, instead of remaining part of the problem. The updated policy mentions that effects of seismic testing on San Luis Obispo County for fish landed in ports --

CHAIRPERSON NEWSOM: Without abruptly cutting you off, just the light -- the red light went off. So if you could do your best to try to summarize.

MR. SNOOK: Oh, I didn't know I was under the --

CHAIRPERSON NEWSOM: Under the duress of time limits.

If you could do your best.

MR. SNOOK: I with definitely do my best. In fact, since you have fishing data, I'll cut to the chase on our recommendations.

CHAIRPERSON NEWSOM: Great. That would be helpful. Thank you.

MR. SNOOK: First of all, a focus on the MPAs, and also marine sanctuaries -- national marine sanctuaries. Bringing those more into focus is a vital issue. We ask the Commission to explore moving the technology of subsurface profiler and boomers to an
identical permitting process as the high energy studies, just pull them over there.

In this way, the Commission will be utilizing an existing pathway to permitting projects, but the projects will experience more thorough environmental review. Thus, there will be a higher probability of reducing the project's impacts through alternative technologies or through a more appropriate scaling of the project.

We also ask that the Commission enhance its enforcement capabilities by fining operators for unpermitted projects or operations.

And I've got some cards here, so I'll pass those on. Again, thank you.

CHAIRPERSON NEWSOM: Appreciate it. Thank you. Thank you for your time.

ACTING COMMISSIONER GORDON: Can I ask you one question? When you're referencing moving the low level into the high level, are you looking for a full EIR on each permit?

MR. SNOOK: That's for the subsurface profilers.

ACTING COMMISSIONER GORDON: Okay. Thank you.

MR. SNOOK: You're welcome.

CHAIRPERSON NEWSOM: And Jeff, followed by Jim Grant. And that's the only two comment cards -- or rather public speaking cards that have been filled out. And
anyone else that wishes to address the Commission, start
making your way up.

    Jeff.

    MR. CAROTHERS: Yeah, I'd like to thank you, Lieutenant Governor, and the rest of the Commissioners as well as the staff. I was at the last meeting and spoke about this permit item. And we're very happy and appreciative that the staff is I believe gone above board to get this out in a timely manner. Our permits were expiring at the end of September, which would mean -- a position of not feeding my kids anymore, because we do surveys.

    I'd like to -- I hadn't planned on talking about this. There's a couple of things I'd like to address with the previous speakers. It's interesting that we talk about the low energy sub-bottom profiler, the new MDec came out and said there's a 50 meter radius around -- danger radius around the sub-bottom profiler, but it does extend out several kilometers, but it's at a very low level. In fact, the side-scan sonar from the report is even more worrisome to us, because that's a 600 meter radius and we believe that instrument, you know, just makes about this much sound.

    (Thereupon Mr. Carothers snapped his fingers.)

    MR. CAROTHERS: That's all it makes, and there's
a 600 meter radius around that. So to say that the sub-bottom profiler, which has a 50-meter radius, is more dangerous than the side-scan, from the report, with a 600 meter radius seems out of context to me.

Anyway, my main topic I wanted to talk about was, let's just say, enforcement. We've had a permit since the first permits were issued, and we've been through this process and followed the rules to the T ever since. When the change was made with air guns, we followed those rules. When the changes were made to have marine wildlife observers on board, we gladly did that. We agreed with that.

We actually agree with the permit as it stands now. We like it. We have a couple misgivings. Like I say, I'll talk about just one of them. I believe it's enforcement. We have been abiding by the rules for 25 years. I've been with the company for 30 years.

There's a lot of --

CHAIRPERSON NEWSOM: The previous five years you weren't abiding by the rules.

(Laughter.)

MR. CAROTHERS: I was somewhere in Asia at that time.

CHAIRPERSON NEWSOM: Okay.

MR. CAROTHERS: But anyway, we see a lot of
surveys. Obviously, it's a competitive market. There's so many survey companies here and there's only so much offshore work. And that's how I feed my kids. We see a competitive market.

So when people come in from out of state, they don't even know they need a permit. They just hop in the water and go to work, okay? We play by the rules, so our rates are higher than theirs, because we have to charge for marine mammals, so on and so forth. I don't see -- and self-admittedly by staff, there's no way to police this thing. Anybody can come out here and do a survey.

So my question is can I do a survey without a permit?

There seems to be a lot of people that do. In fact, an example I'll give you is a company called Merkel and Associates last year was going to do a job for an artificial reef for the Corps of Engineers. And as part of the Corps of Engineers process, I reviewed the scope of work for the Corps of Engineers.

I advised the Corps at the time well whoever does the survey will need a permit, and of course, my company has a permit, so I was trying to get the work, but anyway. It was awarded to another company who did not have a permit, but the Corps said, you need to get a permit. Well, they didn't have one, and they just suggested they
contact me. So they called me asking if they could borrow
my permit.

(Laughter.)

MR. CAROTHERS: And I says -- we'll put a guy on
Board and, you know, we'll pay you a few hundred bucks a
day or whatever. I said I'm not prostituting my permit to
anybody. That's not the deal here. So I just see no way
to enforce this. I just really don't and I don't -- it
hurts me. It hurts the companies that -- the companies
listed that are going to get permits. We're going to
follow the rules. There's a lot of people that come in.
And again, staff, self-admittedly -- we've asked this
question. They cannot police this.

CHAIRPERSON NEWSOM: Yeah.

MR. CAROTHERS: That's unfair. To me, that's
unfair.

CHAIRPERSON NEWSOM: I appreciate that. And
we're going to talk about that in a moment. And I think
it relates as well, I think, the next item.

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON NEWSOM: So I appreciate that.

MR. CAROTHERS: But I want to see the
environment -- I'm concerned about the environment too,
and we do operate environmentally sound. But I don't want
to see people coming in from outside that don't follow the
rules that could do some damage. That's my concern.

CHAIRPERSON NEWSOM: We're on the same page.

Thank you. Thank you very much.

MR. CAROTHERS: Thank you.

CHAIRPERSON NEWSOM: Jim. Mr. Grant.

MR. GRANT: Good morning. Thank you for your time. I'm a long time follower of the Commission and first time speaker, a little nervous.

Jim Grant. I'm with Fugro West. I've been conducting hydrographic and geophysical surveys for 37 years. I've been working with the last speaker for 32 years. And I wanted to comment specifically about the JASCA report, Appendix G, Rev 2, August 30 specifically regarding side-scan sonar data. Side-scan sonar is a towed instrument with a fan shaped beam, typically used for habitat mapping, investigating sites for renewable energy projects, inspecting infrastructure like pipelines -- cultural resources, yes.

The report suggests that the analysis was done with the instrument towed three meters below the surface, which is if it's a fan-shaped beam, the higher it is, the bigger the footprint.

The protocol and procedures for what we do is we tow that instrument as close as we can to the sea bottom to get the resolution, so we can identify these seabed
features in support of the project.

I believe that it's -- the analysis is flawed. And consequently, they have a 600 meter radius exclusion zone on each side of the towed instrument. So that requires us to monitor a piece of real estate that's 12 to 14 football fields wide behind a moving boat. It seems -- I believe it's flawed and I think that the area that we should monitor should be reviewed. I think something more like 90 some meters may be on either side would be more appropriate.

CHAIRPERSON NEWSOM: All right. We'll ask staff about that.

MR. GRANT: Thank you very much. I appreciate your time.

CHAIRPERSON NEWSOM: I appreciate it. Thank you for your attentiveness to this Commission and your testimony today.

Anyone else wish to speak on this item? We'll close public comment then. So let's -- I've made notes, and then I frankly just stopped writing, because this -- we're getting -- there was some very granular and specific things from Surfrider's and obviously NRDC and the last speaker and then the enforcement issue.

So how do we want to unpack this? What's your
sense? You've had a chance to review, I know, the documents, and I know the Commissioners as well.

EXECUTIVE OFFICER LUCCHESI: Well, between -- yeah, between Jennifer and I, we'll start with Surfrider's comments, particularly focusing on the requirement for an EIR versus an MND for certain equipment.

CHAIRPERSON NEWSOM: Yeah.

EXECUTIVE OFFICER LUCCHESI: And we can go on to Mr. Garrett's concern about the 600 meter exclusion zone, and then we can address NRDC's proposals, if that pleases the Commission?

CHAIRPERSON NEWSOM: That works.

EXECUTIVE OFFICER LUCCHESI: And so, Jennifer, I'll start real quick, but if you could add -- embellish more.

In regards to conducting an EIR versus relying on the MND, staff stands behind and believes that the Mitigated Neg Dec is legally defensible and appropriate when addressing these types of equipment for low energy surveys.

We believe that the mitigation measures proposed in the MND sufficiently reduce any impacts to below significance. And we stand behind this MND and recommend that the Commission adopt it.

CHAIRPERSON NEWSOM: Do you guys feel reasonably
the same?

Great. Okay. Thank you.

EXECUTIVE OFFICER LUCCHESI: Do you have anything to add to that, Jennifer?

ENVIRONMENTAL PROGRAM MANAGER DeLEON: If there's interest, I have a couple of images that I can put up that specifically address Surfrider's comments.

CHAIRPERSON NEWSOM: You want to briefly do that?

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Sure.

So one of the questions was about reducing overall ambient noise in the ocean and our responsibility in that regard. And I do just want to bring forth a little bit of information. This is a commercially available web application that shows vessel traffic at any time. You can see that, at any point of your day you can go on here, there's as a lot of vessels, cargo vessels, tankers, yachts, fishing boats, everything. So that's just a quick example.

There is a lot of activity in the ocean, and most, if not all, of these boats have engine noise that sometimes exceed the decibel levels of equipment doing these projects, and also regularly use depth sounders and fish finders.

--o0o--

ENVIRONMENTAL PROGRAM MANAGER DeLEON: This is an
example of a commercially available fish finder. You can
see that it is substantially similar to the equipment for
the surveys that we're talking about, and you can probably
guess that most fishermen out there are using these types
of equipment, as well as depth sounders.

--o0o--

ENVIRONMENTAL PROGRAM MANAGER DeLEON: And then I
would just lastly have you look at these images here that
are the -- these are basically the drawings, the modeled
outputs that show the 180 decibel and 160 decibel and 140
and 120 decibel sound fields that are created by selected
pieces of equipment. That's what we're talking about when
we talk about threshold -- noise thresholds and injury and
behavioral modification thresholds.

So in terms of the question about 600 meters and
all of that, the safety -- what we're calling the safety
zones are safety radii were developed based on these
modeling efforts that give us an idea of how far out do
these decibel levels propagate that are considered harmful
by the National Marine Fisheries Service.

And then we added -- because we modeled a range,
we added what we believed was a fair buffer to account for
variations in depth, in bottom substrate, temperature,
salinity, things of that nature.

So we've also gotten in the peer review
responses, one of the comments that was made by more than
one of the peer review experts was that compared to the
level of ambient noise already in the water, that these
surveys are quote unquote a drop in the bucket. And, in
fact, that our analysis, because it didn't take into
account other sources of noise that increase the ambient
noise, that we, in fact, were overly conservative or, if
anything -- if any error were to be found in our analysis,
that we overstate rather than understate the level of
impacts. So I would just leave it at that.

CHAIRPERSON NEWSOM: All right. Ms. Lucchesi.

EXECUTIVE OFFICER LUCCHESI: Okay. I think that
we've addressed Surfrider's -- or responded to Surfrider's
concerns. On Mr. Garrett's(sic) concern regarding the
exclusion zone and the extent of that, I'm actually going
to have to kick it to Jennifer on the 600 meter exclusion
zone for the particular equipment, the side-scan sonar
versus his recommendation of 90.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Right.
This may or may not be a minor point, but one of the
things that is required on the pre-survey notification is
deployment depth of the towfish or any other pieces of
equipment. However, the -- and I may have to phone a
friend here, but it's my understanding that the models
were based on input that our consultant received from
industry as being typical, and manufacturers. And then I already described how we developed the safety radii from those scenarios.

ACTING COMMISSIONER GORDON: So the exclusion zone, is this a visual exclusion zone, someone standing on the boat going dolphins, whales, pinnipeds?

ENVIRONMENTAL PROGRAM MANAGER DeLEON: That's correct.

ACTING COMMISSIONER GORDON: Now, if we're talking 12 football fields, if -- well, 600 meters is -- is that really 12 football fields?

It seems less than that to me, 6, 9 maybe?

CHIEF COUNSEL MEIER: From side to side.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Eighteen hundred feet.

ACTING COMMISSIONER GORDON: Eighteen hundred feet. Is it -- are you visually going to be able to -- I'm trying -- to spot that distance from both sides? And how would we know if there are -- I guess, whales and dolphins are going to surfaces. I mean, is that -- I'm just trying to find out. Visually, it strikes me -- I don't -- maybe I'm just nearsighted and old, but I can't imagine seeing 12 football fields in one direction. That seems like a long way out. Is that a reasonable distance on both sides of the boat?
ENVIROMENTAL PROGRAM MANAGER DeLEON: The requirement is that the marine wildlife monitors be qualified and trained. And the entity that really kind of gets to say is the National Marine Fisheries Service. People do get trained to do these things. In fact, our Division Chief, Cy, has actually been a marine wildlife monitor in the past. And there have also -- there's also been several -- well, at least one that I can think of that we discuss in the Mitigated Neg Dec to assess mitigation effectiveness of marine wildlife monitors, and where that cutoff is.

And all of our safety radii are generally within what has been shown, at least in that research paper, to -- for observers to actually be effective. Now, of course, at night, they would be less effective. In bad weather, they would be less effective. There's things that can affect their ability to see also whether or not it's generally a surface animal or something that dives more. Those correction factors were considered in our take estimates, and adjusted accordingly, whether they're more or less vulnerable because of their diving habits.

I would also point out that in the permit and in the -- and one of the measures in the Neg Dec is that the marine wildlife observer can stop the survey at any time, if they feel their ability to monitor the safety zone is
compromised.

ACTING COMMISSIONER GORDON: Now, just one last one. So this is going to apply to whales, dolphins. This doesn't apply to fish, right? I mean, you're --

ENVIRONMENTAL PROGRAM MANAGER DeLEON: That's correct. Although, I would expect that if thousands of fish started bubbling up to the surface, then the marine wildlife monitor might want to mention it.

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: I'm sure they're trained to.

So if it pleases the Commission, we can move on to the NRDC comments.

CHAIRPERSON NEWSOM: Please.

EXECUTIVE OFFICER LUCCHESI: Okay.

ACTING COMMISSIONER GORDON: Can we deal with enforcement first maybe? That was on there.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Yeah, that's an easy one.

CHAIRPERSON NEWSOM: Yeah.

EXECUTIVE OFFICER LUCCHESI: So the Commission staff, really we have one staff member, our geophysical permit coordinator that coordinates all the permits and ensures compliance, and teams with our Environmental Planning Unit as well as others.
Enforcement is a challenge for us. I would like to note, just so we understand the context that we're talking about when the Commission is issuing these permits, the Commission is issuing permits for ungranted sovereign lands, meaning that permit -- industry who wants to conduct these types of surveys does not need a permit from the Commission, if they're conducting -- their activities are in federal waters, or in lands that have been granted to a local jurisdiction.

So, for example, if you're talking about City of Long Beach, you're talking about the mean high tide line out three miles.

So there are significant areas outside State waters in federal waters where industry that does not -- has not obtained a permit for the State Lands Commission could conduct these types of surveys, and also in State waters in granted lands.

With that said, that's still a large area in California that we have jurisdiction over that is -- where enforcement is a challenge. And there's -- we are exploring internally ways that we can use existing law, existing regulations to help beef up our ability to enforce.

But the real problem is having boots out in the field, and knowing whether these activities are actually
taking place.

CHAIRPERSON NEWSOM: Coastal Commission has any -- what role do they play?

EXECUTIVE OFFICER LUCCHESI: So that is something that we have been talking with you and your office about, in terms of working with the Coastal Commission and other regulatory agencies, other academic institutions that employ or require these types of surveys to require that these surveys are conducted by State Lands Commission permitted entities.

And so that's something that we've been discussing with your office. And if that's something the Commission would like to direct us to do as part of our program, that we'd obviously be very happy to do that.

CHAIRPERSON NEWSOM: I would be hard pressed to believe we wouldn't want you to continue that.

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: I kind of served it up.

CHAIRPERSON NEWSOM: Right. I mean, a tough one obviously for everyone and sympathetic to the comment. You know, the race should be to the top not to the bottom. I don't want to move away from a permitting regime, just because it's difficult or near impossible to enforce.

That said, we'll see what we can do to raise the
bar and we heed the comments and certainly respect the
good players in this. And we'll encourage more examples,
and we'll discourage those that are here inappropriately.

EXECUTIVE OFFICER LUCCHESI: May I move on to the
NRDC comments?

CHAIRPERSON NEWSOM: Yeah.

EXECUTIVE OFFICER LUCCHESI: So I believe that
Ms. Garrison started talking about an implementation
update after six months or a year to --

CHAIRPERSON NEWSOM: Yep.

EXECUTIVE OFFICER LUCCHESI: And we fully support
that. We think that's a great idea to come back to the
Commission in a year. That would give us sufficient time
to review the applications for these permits that have
come in under the program, and the different factors and
elements to those, along with the effectiveness of the
program requirements. And so we will be coming back to
the Commission with a status update.

Additionally, I believe Ms. Garrison mentioned
some guidelines. And that's something that we've been
talking in-house about, about developing some guidelines,
handy tips for both industry as well as interested
stakeholders in terms of helping the public, helping
industry understand our permitting process, being able to
understand the considerations that staff will be utilizing
when individual survey requests come in under the permit.

So we would also like -- we agree that developing those guidelines, pursuant to the rule-making process, pursuant to the administration -- Administrative Procedures Act, would be a benefit to everybody involved, and -- so those were kind of the top level comments that she made.

She also discussed or requested that the notice contents include some overlay of the marine protected areas, where the survey activities will take place. That is something that we can do, and we can either work with the applicants to provide that or internally do that with our own mapping staff. And we will work to include that in the notice requirement -- in the noticing that goes out to the public, so that they are as informed as possible about where these areas are and how they overlay. We're not exactly sure how the details will work on that, but we'll work to make that result happen.

CHAIRPERSON NEWSOM: All right.

EXECUTIVE OFFICER LUCCHESI: As to the substantive issues, she had four comments in her letter, or recommendations. The first one involved the specific equipment and the levels of frequency output, and being more specific about that. That is something that we can, in concept, incorporate into the permit and the program,
maybe not using these exact -- this exact language that she's proposed, but something very substantially similar and gets the same end. So, as staff, we would be okay with that recommendation.

CHAIRPERSON NEWSOM: Okay.

EXECUTIVE OFFICER LUCCHESI: The second one had to do with an exception for boomers proposed for harbor porpoise habitat. Again, that's something that staff would be okay with including in the program permit.

Her third recommendation relates to pulse lengths and other aspects where we have not really had the chance to investigate that or research that particular recommendation. So we would stay neutral on that. We're recommending that we not include anything in the permit relating to that this time, because as staff we have not had the chance to really investigate that proposal or that recommendation.

Her fourth recommendation includes two additional mitigation measures. And we believe that's something that could be included in our guidance document that I referenced at the beginning. That that's something we can build into providing industry, as well as the public, on what would be -- we would consider as a staff when individual surveys come in for our review. And I think that concludes what her comments were.
CHAIRPERSON NEWSOM: Does that substantively address your concerns and issues?

MS. GARRISON: Yeah, I think so. I mean, I'd love to stay in communication as you guys figure out exactly what the language is, but that sounds very good.

CHAIRPERSON NEWSOM: Excellent.

EXECUTIVE OFFICER LUCCHESI: And that's -- if I just may add, we will, of course, engage with Karen and her folks at NRDC, but also with industry on these -- on this language too.

CHAIRPERSON NEWSOM: Absolutely.

ENVIRONMENTAL PROGRAM MANAGER DeLEON: Yeah. We'll definitely need their input on the issue of the rise times, because what we really need to make sure that we're doing is allowing them to maintain data acquisition targets. And if so, we want to make sure that having that bright line doesn't compromise their ability to collect the data that they need.

CHAIRPERSON NEWSOM: Makes sense.

MS. GARRISON: And I would just add that if you follow the course you've just laid out, you will be addressing at least one of Surfrider's concerns about putting boomers in a different category, because boomers -- you know, basically harbor porpoise habitat is a lot of our concern, so I think that's a very good move.
EXECUTIVE OFFICER LUCCHESI: And if I just, again, kind of bring it back to the 20,000 foot level here. This is our general permit, so if there's an application coming in for a survey or an application for a permit that doesn't fit within the confines of our general permit, and the MND that was conducted, that doesn't mean that we deny it straight off. We would analyze it just under a separate -- just outside of the general permit. So there's still obviously a process that needs to happen.

CHAIRPERSON NEWSOM: Excellent.

Go ahead, please.

ACTING COMMISSIONER GORDON: What about the fifth comment from NRDC with regard -- under the contents of notice mapping the marine life protected, is there any problem doing that?

EXECUTIVE OFFICER LUCCHESI: No. No, we can definitely do that.

MS. GARRISON: Sorry, I kind of reversed the order and put that first in the comments, so she addressed it earlier.

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON NEWSOM: So any of those require any formal amendments to the item?

EXECUTIVE OFFICER LUCCHESI: Yes. So if I can propose a motion.
CHAIRPERSON NEWSOM: Fabulous.

EXECUTIVE OFFICER LUCCHESI: Okay. I am -- let me pull up the item. Okay. Under item -- we're on Item 120. And under -- there's a number of authorizations, including a CEQA finding to adopt the Mitigated Neg Dec. Under the authorization for the general permit, I would amend Authorization number 1, which currently states, "Approve the proposed OGPP update as described in the staff report and as represented by the general permit attached as Exhibit D hereto".

I would recommend that a motion be made to approve the proposed OGPP update as described in the staff report, and represented by the general permit attached, in addition to inclusion, in substantial form, Comments number 1 and 2 of the NRDC letter, and comment -- excuse me, Comment number 1 and 2 in the NRDC letter substantially. So let me try and repeat that.

(Laughter.)

CHAIRPERSON NEWSOM: It made sense.

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: Okay.

CHAIRPERSON NEWSOM: I don't dare. Does anyone -- yeah, does that make sense to you?

ACTING COMMISSIONER GORDON: (Nods head.)

CHAIRPERSON NEWSOM: Is there a motion?
ACTING COMMISSIONER GORDON: Yeah, I would -- yes, move approval with the caveat, as stated by the Executive Director.

ACTING COMMISSIONER ORTEGA: I'll second.

CHAIRPERSON NEWSOM: Great. So without objection, we'll move on that.

Next.

EXECUTIVE OFFICER LUCCHESI: Okay. I would just add that the Commission could direct us -- you know, separate from this item, direct staff to report back to the Commission on the implementation of this program in one year.

CHAIRPERSON NEWSOM: Six months?

EXECUTIVE OFFICER LUCCHESI: One year. I recommend one year, just to give us enough time and be able to provide you with enough information.

CHAIRPERSON NEWSOM: All right. Fair point.

I'll defer.

EXECUTIVE OFFICER LUCCHESI: Okay. And direct staff to -- I'll get to that. Also, direct staff to include the mapping notice that would overlay the marine protected areas along with where the survey activities are located, and also develop guidelines consistent with the Administrative Procedures Act to help facilitate program implementation by industry and the public.
CHAIRPERSON NEWSOM: So there's no objection to that, we'll separately direct you to direct yourself.

EXECUTIVE OFFICER LUCCHESI: Yes, I direct myself to do all those things.

CHAIRPERSON NEWSOM: Yes.

EXECUTIVE OFFICER LUCCHESI: And if we may just go back to 120 and re-vote on that to ensure that we're getting the adopted --

CHAIRPERSON NEWSOM: All we did is adopt the amendments, so we haven't even moved the item.

EXECUTIVE OFFICER LUCCHESI: Yeah, you have to move the item consistent with staff's recommendation.

CHAIRPERSON NEWSOM: Right. So no other amendments or any other comments about the item?

ACTING COMMISSIONER GORDON: No.

CHAIRPERSON NEWSOM: Then on the item itself as amended.

ACTING COMMISSIONER GORDON: I'll move 120 as amended.

ACTING COMMISSIONER ORTEGA: Second.

CHAIRPERSON NEWSOM: Seconded. Without Objection.

EXECUTIVE OFFICER LUCCHESI: Great. Thank you.

CHAIRPERSON NEWSOM: The item is moved.

And that brings us to the next item on the
calendar, which I believe is 121.

EXECUTIVE OFFICER LUCCHESI: Joe Fabel, one of our newer attorneys with the Commission will be giving the presentation on 121.

STAFF COUNSEL FABEL: It should be brief. Should I continue?

CHAIRPERSON NEWSOM: Not, that I don't love you. Speak on, please. I'll leave you in more capable hands.

STAFF COUNSEL FABEL: Well, good morning, Mr. Chairman, members of the Commission. Again, to state, my name is Joe Fabel. I'm a staff attorney here with the Lands Commission.

Now, in light of this Commission's adoption of the recently approved offshore geophysical program update Mitigated Negative Declaration and the permit structure implementing those mitigations found within the MND, Commission staff now recommend that the Commission authorize issuance of statewide non-exclusive general geophysical permits to the nine applicants listed within this staff report. These nine permits will be for a term of three years from October 1st 2013 to September 30th, 2016.

Now, staff recognized the varied and important work performed by the applicants covered to bring a variety of scientific and engineering purposes. We went
over a few of them, but to restate the purposes are
surveys of near-shore sand erosion and deposition,
surveying existing pipelines to assess any structural
damage, developing maps of hard bottom and essential fish
habitat, or cultural resources among other important
purposes.

Now, the permits that staff will issue, if
authorized, will conform with the permit structure that
was recently proved with the amendments, under Item 120,
including the Mitigation Monitoring Program.

Major changes within the permit structure have
already been identified and addressed. However, the
enhanced pre-survey notification and post-survey
notification that we'll be implementing into the Program,
along with the staff's commitment to using modern
technology, such as email and Internet, to put the
pre-survey information provided from the permittees onto
the Internet pretty much within 24 hours of receiving it,
will really, from the start, from the first surveys that
start under this program create a level of transparency
the program really hasn't seen prior. So this is
definitely a step above and beyond.

The nine applicants have submitted their
applications and material. Pretty much from this point,
if approved, staff would go ahead and just update the
information that we have received according to the new permit requirements, so that the permit applicants can start conducting science and survey work as soon as possible after the 30th.

I thank you for your time. That's the end of my presentation. Again, I promised it would be short.

ACTING CHAIRPERSON GARLAND: Thank you. Any comments from the Commissioners before I make one that the LG asked me to make.

ACTING COMMISSIONER ORTEGA: I just have one question about the action that we took previously. So is there enough time in the recommendation in the action right now to kind of coordinate what changes we made in the previous action with the permits that are being discussed here?

EXECUTIVE OFFICER LUCCHESI: Yes, there is.

ACTING COMMISSIONER ORTEGA: Okay. Thank you.

ACTING CHAIRPERSON GARLAND: Good question.

Commissioner Gordon.

ACTING COMMISSIONER GORDON: No.

ACTING CHAIRPERSON GARLAND: Okay. I almost feel like we're in Batman when I say that.

(Laughter.)

ACTING CHAIRPERSON GORDON: Sorry.

Relative to the folks who we're talking about
approving permits to, the Lieutenant Governor was pretty strong about this, and we referenced it briefly in the last one, but we'd like to direct staff, if the other Commissioners approve, to find ways to significantly boost the folks who actually do seek permits and are good actors in our waters, and to work with other agencies in State government and our federal partners to encourage them to work with those folks who are seeking permits and doing business the right way in California.

Any objection?

ACTING COMMISSIONER GORDON: I would just like to add my agreement to that. I mean, I spent four years working for the President of the Senate back in the nineties, and one of the biggest complaints we had would be business people coming into the office who were complying with California's laws happily, wanting to be both good corporate and environmental actors, complaining about scofflaws not being caught. They were incurring additional costs, which they were not necessarily complaining about. The problem was they were losing in the marketplace to the bad actors.

And it strikes me that one of the primary roles of government and government regulators is to operate a level playing field, but in so doing, do it in a way that the people that are doing the activities that we encourage
went and grow their business. And if we're not doing
that, we're doing a disservice to the state.

So, yeah, I would like to associate the
Controller's office with those remarks as well, Chris.

Thank you.

ACTING CHAIRPERSON GARLAND: Don't have any
public comment cards on this item, but is anyone here to
speak on this item?

Seeing none.

EXECUTIVE OFFICER LUCCHESI: If I may just jump
in --

ACTING CHAIRPERSON GARLAND: Sure.

EXECUTIVE OFFICER LUCCHESI: -- because since the
Lieutenant Governor has left and, Chris, you are his
alternate, we run into our voting conundrum. So pursuant
to the Government Code only one of the Constitutional
offices alternate members can vote on any given action.

Finance can always vote.

ACTING CHAIRPERSON GARLAND: Do we have a motion
on this item?

ACTING COMMISSIONER ORTEGA: I'll make the
motion.

ACTING CHAIRPERSON GARLAND: I'll second that
motion.

All those in favor?
(Ayes.)

ACTING CHAIRPERSON GARLAND: The Controller's office is necessarily not voting on this, but I believe they're feelings were --

ACTING COMMISSIONER GORDON: Very supportive of this.

ACTING CHAIRPERSON GARLAND: So that passes 2-0, and with one abstention -- or one not voting.

We're moving on to Item -- I know there were some changes in the order here, so what item are we on now?

EXECUTIVE OFFICER LUCCHESI: Yeah. Moving are moving on to Item 106 and I will briefly introduce this.

Venoco has requested the additional assignment of a particular well, Well 15, a partial assignment of that Well 15 into -- to the VEPO, Venoco Energy Partners Operating, LLC, to facilitate the creation of their master limited partnership.

This would be to add this particular well and assign 22 percent of it to the assignment authorization that was provided by the Commission in July of this year. Venoco has requested that this occur, staff's recommendation is to authorize this assignment.

And let me just back up real quick. The purpose of adding this well is that there is sufficient evidence, and State Lands staff engineers have confirmed this, that...
Well 15, which has been recently re-drilled, is communicating with the other nine wells that were part of the assignment authorization. And so, from a technical perspective, it's -- the purpose is to add this to the assignment, 22 percent, because of the communication occurring.

ACTING CHAIRPERSON GARLAND: And for those of the public in the room and for our two loyal watchers on-line -- hi, mom and dad --

(Laughter.)

ACTING CHAIRPERSON GARLAND: -- can you explain communication between wells, because they obviously didn't talk to each other.

EXECUTIVE OFFICER LUCCHESI: Yes. Well 15 -- and we have our oil and gas engineers here and Mark, but I'll do my best from a non-technical person. Well 15 was drilled near the lease line. And communication means that it's accessing the same part of the reservoir and actually taking production from those other nine wells that are nearby. And so it's not producing new oil, it's actually taking production from existing wells.

ACTING CHAIRPERSON GARLAND: You've got a future in writing Oil Wells for Dummies. Thank you for that.

(Laughter.)

ACTING CHAIRPERSON GARLAND: I see a
representative from the petitioner here. Would you have any comments or anything you'd like to add to the presentation?

MR. GRIEG: No. I'm available for questions.

ACTING CHAIRPERSON GARLAND: Okay. I have several questions on this.

ACTING COMMISSIONER ORTEGA: I'll move the item.

ACTING CHAIRPERSON GARLAND: Okay. And you may want to step to the table. I think it's been pretty clear what our -- what the Lieutenant Governor's office position on this has been from the beginning. We continue to have serious and potentially grave concerns about this. Although, we pray that none of them come true.

Do we have -- we understand the petitioner wanted a much broader agreement on this with more wells included initially. And that's potentially where they're going down the road, if this does work. Were there -- could it have been reasonably believed that when 15 was drilled, it would have communicated with wells that they knew they were putting into the MLP? And for staff or for representatives of Venoco.

MR. GRIEG: Sure. Steve Grieg with Venoco.

I think that if you looked at the location, I think there was the -- the possibility was there. It was not anticipated. I think there was a timing issue with us
with the initial -- you know, with the July hearing. The 15 Well was not under production at that point. In fact, it was being drilled. That none of the other wells showed that same communication, so from our standpoint, it's -- you know, the geology is the geology. You don't know a lot of it until you've actually drilled into it. So there was definitely a surprise. But the --

ACTING CHAIRPERSON GARLAND: It was a surprise?

MR. GRIEG: There was a surprise that there was the communication that there has been. I think that, obviously in hindsight, it would have been included, but it was more of a timing issue. And then that, coupled with the communication, is what's causing us to request this.

ACTING CHAIRPERSON GARLAND: I appreciate the issue of timing. It was something that we were, you know, keenly aware of when the initial request was brought forward. And we know that you need to move on this.

Although, I would like to ask one of our oil staff experts to come up and see if -- to the issue of could there have been a reasonable expectation that 15 would have communicated with the other wells prior to the initial request for the MLP approval?

Petitioner's stance is that they were surprised that 15 was communicating with the other wells. Is that
staff's understanding as well?

MINERAL RESOURCES MANAGEMENT DIVISION CHIEF

VOSKANIAN: I'm Marina Voskanian, Division Chief of Resources Management Division.

And I believe when we do -- try to identify a location of the well, you review the performance of other wells and kind of make that decision. And it's done much easily on a regular sandstone operation, like in Long Beach or other fields. But in Monterey, fractured shell, when there's a fracture, it's a little bit more difficult to predict exact performance of the well, depending of how the well is drilled, particular to the fault -- to the fracture in the reservoir or parallel to the fracture.

The first few three re-drills that they've done, the production came really high. One of the wells making 2,000 barrels a day. And then the next one was 800 barrels a day, and it was a good improvement to the total production of the field.

If I was me, I was looking at that, probably I wouldn't drill that close to the other wells, but they've seen so much success in the lease line, and assuming that it would be -- it was draining from outside of the lease line, they get more oil, they drilled again in that area.

And, at that time, when they were talking about the MLP, they first wanted to include decent part of the
MLP. But because of the wells they were drilling at that
time came dry, no oil production, they figured, okay, if
they bring that one on board as part of the MLP, they may
be bringing more risk to it. And they wanted to make sure
the production coming to total MLP is kind of a more lower
risk than they can get their IPO.

As a result, they excluded the future drilling
well to be re-drilled. And we were also concerned, at
that time, that every time they're going to come and bring
more wells to this MLP, and then we have to go to the
Commission, if that's going to be routine things going on.

But to answer your question, it would be hard to
predict, but, in my opinion, they could have done more
study to predict if there was some communication coming or
not.

But they were so successful on these re-drills,
they figured, okay, we'll re-drill this one and get more
production, which the production went up. It's not like
it didn't go up. And it was a good successful economic
well, but it's just a matter of, you know, communication.
And it's -- the interference happens usually in the oil
field.

And that's why we call it expediting production.
You know, we're bringing more wells and expediting the
production. You drill less wells and you're extending the
life of the platform.

ACTING CHAIRPERSON GARLAND: Thank you for that response. It was comprehensive, and leads me to my next question for the petitioner, which is are there any other wells in current production or currently planned or being currently drilled that are as close as 15 is to the current wells in the MLP that you could reasonably expect to have communication, and therefore need to come back to us again with project creep to increase the size of this MLP?

MR. GRIEG: The answer is no. That we've -- obviously, because of the results of this well, the future of drilling or re-drilling that we've been looking at from Platform Holly has been postponed or -- and we're going to do more steady as Marina has mentioned, but --

ACTING CHAIRPERSON GARLAND: And let me be clear here. We're not against you bringing in more for the State. And obviously, we're very much appreciative of you being good stewards of your lease with us, but what we want to avoid here, and what I will tell you on the record right now, we will strenuously object to in the future is any kind of project creep here without you first proving that this MLP is a valuable instrument for the State as well as your company.

MR. GRIEG: Completely.
ACTING CHAIRPERSON GARLAND: And with your no response I will withhold my objections and attribute this first one to sometimes stuff happens.

(Laughter.)

ACTING CHAIRPERSON GARLAND: And even though it could have been reasonably expected, the -- we'll withhold our objection on this one and allow the other two Commissioners to move forward with us having to necessarily take the pass, because there's no Constitutional officer here.

So with that, any other further comments by the Commissioners?

ACTING COMMISSIONER GORDON: Move approval of Item 121.

ACTING COMMISSIONER ORTEGA: Second.

ACTING CHAIRPERSON GARLAND: Motion and a second. Those in favor?

(Ayes.)

ACTING CHAIRPERSON GARLAND: It passes 2-0 with the Lieutenant Governor's office not voting, but concerns are on the record.

I believe that's --

EXECUTIVE OFFICER LUCCHESI: We actually have one more.

ACTING CHAIRPERSON GARLAND: One more, right?
EXECUTIVE OFFICER LUCCHESI: Yes. Item 113 was pulled from the consent agenda. And Mary Hays who is our --

Yes. Can we go back Item, 106 not 121. Can we take that vote again?

ACTING CHAIRPERSON GARLAND: Oh, I'm sorry. That's correct. You're right. Thank you for catching that. Somebody is paying attention out there.

Nice.

EXECUTIVE OFFICER LUCCHESI: Thank you, Cy.

ACTING CHAIRPERSON GARLAND: Good job, Cy.

Going backwards here. We had already taken care of that other item. So this is Item 106, the Venoco MLP. Do we have a motion to move 106?

ACTING COMMISSIONER GORDON: Yeah, I move 106.

ACTING COMMISSIONER ORTEGA: Second.

ACTING CHAIRPERSON GARLAND: Those in favor?

(Ayes.)

ACTING CHAIRPERSON GARLAND: Same outcome.

Thank you, Cy.

And then we have Item 113.

EXECUTIVE OFFICER LUCCHESI: Yes. Mary Hays will be -- one of our Public Land Managers will be giving the presentation.

(Thereupon an overhead presentation was
PUBLIC LAND MANAGER HAYS: Good morning, Commissioners, and welcome Commissioner Ortega.

Again, my name is Mary Hays, and I'm a Public Land Manager with the Land Management Division for the Northern California Region, and I'll be presenting some background information on this calendar Item 113.

I'm going to start with just some background.

This is a property -- the upland property is located at 2221 Garden Highway. It's within Sacramento County. It's on the Sacramento River. And in 1997, the Commission authorized a lease with Betty Vranesh -- she has a trust -- for bank protection.

That lease expired in May of 2007. In October of '07, an application was submitted for a new lease for the bank protection, which went before the Commission, and was approved, but the lease was never executed by the property owner, and that was due to an illness. We understood that Betty Vranesh had Alzheimer's. Her daughter was looking to get a power of attorney in order to get the lease executed.

Staff worked over a period of time after that to get the lease executed. It never did. It was never executed. So fast forward to May of 2012, and during investigation with a prior -- Mr. Lee Stearns, who is --
there was an action before the Commission back in June for
some illegal activities that he was performing with pile
driving on the Sacramento River.

So back in May of 2012, our Legal staff and our
Land Management staff did investigation along that stretch
of the Sacramento River. And, at that time, there were 11
docks that were discovered that were not under lease. And
we wrote letters to those folks and asked them to come
under lease or we would take some legal action against
them.

Seven came right in. We now have four that did
not come in for a lease, still have not. And in June, we
brought those to the Commission for an enforcement action.

During that May 2012 inspections, we found that
there was an additional property that was Betty Vranesh's,
where we had a lease already for bank protection, we found
that there was an installation of a dock. That, we
believe, took place some time in the 2010/2011 period
based on Google Earth photos.

In July of this year, we had been in
communication -- one of our staff had been in
communication with Betty Vranesh's family, her daughter,
who we understood then did have a power of attorney. So
we met with the family, Betty's family, on July the 22nd
to go over the necessity to submit an application for the
installation of the dock or it would very likely have to be removed if we took an enforcement action.

So that's really what's before you today. We -- staff met -- actually, in July, we sent the initial letter to contact us within 15 days. On August the 14th, we did meet with the property owner's daughter and son-in-law, discussed the application process, the fact that the prior lease was just for riprap and it had not been executed. It really was not even a contract.

At the time, we offered to go through the application process with them, and we also worked out a reduction in the application fees. But to date, we have not received an application. Between August 14 and I think within two weeks after that, Mrs. Vranesh's daughter did submit the power of attorney, and she did submit a copy of an exhibit of the size of the dock. But since that time, we have had no application submitted.

So the action before you today is -- well, there's -- I also wanted to let you know that the prior action for the other four, the Attorney General's office has recommended that this action be included in the prior action, if it got to that point for economies of scale and staffing.

So to conclude, staff is asking the Commission to authorize the staff or the Attorney General to take legal
action to cause compliance with the Commission's leasing authority and to have the trespass structures brought under lease, or if that does not occur, for removal and restoration and covering our -- the damages.

So I'm available for any questions. And the -- I believe it's Mr. DeMar who is the son-in-law of Betty Vranesh is here.

ACTING CHAIRPERSON GARLAND: Any --

EXECUTIVE OFFICER LUCCHESI: Oh, I was just going to ask Mary if you could click a couple of slides, just so we can get a picture of the area in question.

PUBLIC LAND MANAGER HAYS: Oh, I'm sorry. I didn't realize I was the one doing it.

This is a picture of the Sacramento River. And the Vranesh property is on the east side in the Sacramento County side of the river.

--o0o--

PUBLIC LAND MANAGER HAYS: And this is a photo taken at the time staff and the Attorney General were out looking at the Lee Stearn's activities is when they took photos of these unauthorized docks. This is actually the dock at Betty Vranesh's property.

--o0o--

ACTING CHAIRPERSON GARLAND: Does that conclude your presentation?
PUBLIC LAND MANAGER HAYS: That concludes my presentation.

ACTING CHAIRPERSON GARLAND: Thank you.

Before we get to the comment card, anything from the Commissioners?

Okay. Mr. DeMar.

Welcome, sir.

MR. DeMAR: Hello. Nice to meet you. My name is Gary DeMar. I built this house. I put the dock in. I got all the permits, right? I did everything. The State Contractors -- I didn't know they existed when they started this. The plans were approved 2005/2006. So we started -- in 2007, we get a letter that we have to pay this fee to buy the bank -- or to pay for the bank, right?

So we go down and we write -- we told her that her mom has Alzheimer's. We paid them the money, and then, you know, they sent her -- I guess they must have sent her the lease, because we never got it. But anyway, it was good enough for six years, supposedly, until I would say I put in the dock. The dock is all permitted on my plans. I have a -- from The Reclamation Board, a complete permit from them, and it considers the whole project.

And I went through the County, the Water Resources, everybody. See, they have a special assessment
district. When you go to build a house on the river, you go to a special assessment district. It took probably a year and a half to get to this point to build.

And so I put in the dock as of probably right about end of 2010. And he was a licensed contractor. I had permits for it. And they came in, I think it was what, 2012 -- 2013 I was hit with this thing where it's like the State Gestapo comes down to my property, brings the county --

ACTING CHAIRPERSON GARLAND: I'd prefer you not speak about our staff like that. It doesn't help your cause.

MR. DeMAR: I think it was pretty good though, but that's pretty close.

But anyway, brings the county inspector, right, and the State Contractor's License Board. They've got a little vendetta going on the river here, you know, just so you know, but they all come down, and they're going to look at this illegal dock.

And I said, "Well, it's legal. I've got it all permitted. It's totally legal." And the county says, well, "Let me see your plans", the county inspector asked, and the State License Board. I said, "I'm a contractor, and I did most of the work. He just put in the piling. And he's a licensed contractor and I paid him to do it". 
And so everything was legal as far as I can tell. So I showed the county inspector my plans. I showed them all my permits. And he said -- he looked at the License Board and he said, "He's legal", and they all left.

Okay. So nothing comes of it for about another six months to a year, who -- I don't know the person I'm talking about, the worker bee. I guess she found out that the lease wasn't signed or something, so that's an illegal lease according to them, which we already paid for their time, right, and to do this. And this has been six years now that it's been on.

And so then we get this letter, we have to come down and redo the dock, right?

ACTING CHAIRPERSON GARLAND: Hold on, you said it's been six years it's been on.

MR. DeMAR: Well, that's when we went in 2007 we paid the money. This is 2013, right?

ACTING CHAIRPERSON GARLAND: For the bank, not for the --

MR. DeMAR: Right for the bank -- reclamation. But see, this is all permitted at the time in 2005.

ACTING CHAIRPERSON GARLAND: And county and --

MR. DeMAR: Right. Right.

ACTING CHAIRPERSON GARLAND: At the county and city level, not at the State level.
MR. DeMAR: Right. Right. No, no, at the Reclamation District. It went through the Army Corps, all the stuff. I mean, the Reclamation District goes through everybody, you know, but I've never heard of these people. And they should be at the county level at this assessment board. When anything comes on the river, they should be there.

ACTING COMMISSIONER GORDON: Is the issue over this -- the illegality of the dock or the failure to pay for the leasehold?

MR. DeMAR: Well, the issue is -- more or less my issue, we already paid $1,525 for this, right? Okay, the new thing is they have a special new fee now because they have new law that -- I don't know, maybe some kind of pork somebody signed that they're going to charge by the square foot for the dock.

I mean --

ACTING COMMISSIONER GORDON: Well, the -- let me stop you for a second. The State passed a law in 20 --

MR. DeMAR: Eleven.

ACTING COMMISSIONER GORDON: -- 11 that indicates you recognize your dock is -- you're using a waterway that belongs to the people of California. Okay. The State Legislature passed, the Governor signed a law saying that to continue utilizing that, you need to pay a leasehold.
Is there a piece of that you don't understand? I mean, this is -- I understand that prior to this you didn't have to pay for it. Okay. We've got hundreds, if not thousands, of people throughout the State that came under this law. You're not unique in this way.

MR. DeMAR: I realized they were recommending you put in these recreational piers, and now, since everybody has got them in, they're going to charge you for them, which is kind of good State thing, you know, just a little extra.

ACTING COMMISSIONER GORDON: That is -- you do understand that's State law.

MR. DeMAR: I understand that.

ACTING COMMISSIONER GORDON: All we are doing here is enforcing State law.

MR. DeMAR: Well, let me run this scenario by you a little bit then, since --

ACTING COMMISSIONER GORDON: Okay.

MR. DeMAR: -- you know, I mean, I do pay taxes, right? I mean, you guys get paid from our taxes, and then I have to pay them to look my land, right? I've got to pay them to look at my land, right, and -- the CSL to look at it, right? And I already pay them once. Now, I'm paying them again, right?

ACTING COMMISSIONER GORDON: Sir, you're --
MR. DeMAR: Now, wait a minute. Now, wait a minute. Let me finish. I get my three minutes before the red light goes off.

ACTING CHAIRPERSON GARLAND: Which have been up for quite some time.

MR. DeMAR: I know. I know.

And then -- so then now they're going to charge me for the dock by the square foot, right? So then she brings the county out with her, and the county says, well, now since that dock isn't exactly the same, you might have to get another permit for that dock so we can reassess your property, because you pay your property taxes, and we can add to that.

And then the dock is on State Lands. I said, well, why don't you tax the State, you know. I mean, now what is -- I'm just a simple homeowner. We're homeowners. We're not commercial businesses. All I ask them to do was run the same lease from 2007 to 2017. We'd sign it. It would be done, and then they could come after the dock.

But no, that doesn't work. They want to get us on the 2011 one so that we can pay more money. I mean, obviously -- I mean, you like that scenario, huh? That's pretty tough. I said we need more State laws. We need more -- every dock.

ACTING CHAIRPERSON GARLAND: Sir, and I would
suggest if you have an issue with the State law or the county, that you take it up --

MR. DeMAR: I was hoping Gavin would be here, but he wasn't.

ACTING CHAIRPERSON GARLAND: He was.

MR. DeMAR: I know, but he left before I got up here. But anyway, I just -- all I asked was for them to run the regular lease, and be done with it and it would have been -- the dock lease is cheaper 1,225. You know, and it's 15 for the other one, and -- but they just want to get you under it, so you can start paying quicker, but the dock was built before the 2011 deal. So now, if she wants me to do that, just a regular dock lease, and then they won't charge me by the square foot for the dock until 2024 or whatever, yeah, I'd be happy with that.

ACTING COMMISSIONER GORDON: We don't have the discretion to do that. We need to treat all landowners, all folks that are using State Lands the same. That's how the law reads. So we have -- the fairest way to do that was to charge people based on the size of their docks, and that is what has been implemented.

Your complaint is with the State for passing the law, maybe with the county for how they are assessing your property taxes. But with regard to the leasehold for the dock, you are being treated identically to every other
landowner in the State who is utilizing land that is owned
by the people of California.

MR. DeMAR: Who decides the fees for this dock
square footage? How does that -- what's that based on?

ACTING COMMISSIONER GORDON: That is based on
regulations that have been adopted by the Commission.

MR. DeMAR: I've never seen anything on that.
But anyway, I just -- all I want to do is get this lease
right. I think it should be the other way, and I don't --
you know, I just can't believe you got to pay five times
for everything. I mean, it's just getting unreal, I'm
telling you.

ACTING CHAIRPERSON GARLAND: I would suggest, and
I appreciate your comments. And you may have something to
take up with the legislature, and the county. I would
suggest to you that the easiest way to take care of this
would be to meet with the State Lands staff in the next
couple days, come into compliance, and then go fight where
the fight should be, which is the legislature and the
county.

MR. DeMAR: Well, you guys should be -- if you
have to go through you for everything on the river, when
there's a house built, you guys should be at the permit
place on the special assessment. I mean, that should be
automatic.
ACTING COMMISSIONER GORDON: See, we don't have upland authority. We have the authority for the dock that is in the river.

MR. DeMAR: Well, you -- and the bank.

ACTING COMMISSIONER GORDON: The upland authority is with the county --

MR. DeMAR: But you have the bank and that's on everybody's property on the river, you know.

ACTING COMMISSIONER GORDON: -- and the State Reclamation Board.

MR. DeMAR: It's just a -- I mean, I didn't even know you existed, and I wished I hadn't. You know, it would be a lot easier.

ACTING COMMISSIONER GORDON: Well, the State Lands Commission is Constitutionally -- what's the word I'm looking for? We exist under the Constitution of the State of California, and been there since what year?

EXECUTIVE OFFICER LUCCHESI: 1938.

ACTING COMMISSIONER GORDON: 1938.

MR. DeMAR: 19 what?

ACTING CHAIRPERSON GARLAND: '38.

ACTING COMMISSIONER GORDON: Oh, shoot, I wasn't even born then.

(Laughter.)

MR. DeMAR: But anyway --
ACTING CHAIRPERSON GARLAND: Thank you so much.

MR. DeMAR: -- so what are you voting on? Do you vote now or do I just go out the door?

ACTING COMMISSIONER GORDON: We can vote right now.

ACTING CHAIRPERSON GARLAND: Actually, we're about to move through our process, so if you'd like to sit there and listen to us, be my guest.

Any further comments by the Commissioners?

Do I have a motion?

ACTING COMMISSIONER GORDON: A motion to adopt staff recommendation on Item number 113.

ACTING COMMISSIONER ORTEGA: Second.

ACTING CHAIRPERSON GARLAND: Motion and a second. I'll be -- since you moved it, I'll lay out on this one. Motion and second. All those in favor? (Ayes.)

ACTING CHAIRPERSON GARLAND: It carries 2-0 with Lieutenant Governor's office not voting.

Thank you.

MR. DeMAR: That was government in action.

ACTING CHAIRPERSON GARLAND: Have a great weekend.

ACTING COMMISSIONER GORDON: Thank you, sir.

MR. DeMAR: I'm on it. I'll be at the bar.
ACTING CHAIRPERSON GARLAND: Happy to come in and buy one for you from our State salary.

(Laughter.)

ACTING CHAIRPERSON GARLAND: Ms. Lucchesi, I believe that ends our regular session.

EXECUTIVE OFFICER LUCCHESI: It actually ends our --

ACTING CHAIRPERSON GARLAND: Oh, public comment.

EXECUTIVE OFFICER LUCCHESI: Yes. It ends our regular calendar, but moving on to the public comment.

ACTING CHAIRPERSON GARLAND: I have just one card today?

Alison, come on up.

ACTING COMMISSIONER GORDON: Oh, God not again.

(Laughter.)

ACTING COMMISSIONER GORDON: I'm sorry.

ACTING CHAIRPERSON GARLAND: Welcome back.

MS. MADDEN: Thank you, and thank you for having me. I am the corporate secretary and in-house counsel for a nonprofit California public benefit nonprofit. It's called San Francisco Bay Marinas For All. And we desire to stop the privatization and eradication of the marinas in San Francisco Bay that are still in useful and useable condition.

In particular, we've shown up and spoken in the
past. And it's never been an agenda item yet. So we understand that no commentary can happen and no action on the record, but we have attended the State Lands Commission meetings before to brief the Commission on what is happening Pete's harbor. And there are other marinas that we're concerned about, but primarily Pete's Harbor.

And there used to be 700 public access slips between three areas of water on this inlet in Redwood City. One was Peninsula Lake, one is the inner harbor at Pete's Harbor, and one is the State Public Trust land in Smith Slough. And there are now zero of those public access slips.

We're asking that you continue to discuss with staff, and do what you can do in terms of supporting a couple things. In January, there was a meeting where the State Lands Commission took the position that they would like to see the parties work this out, and we would like that to continue to be communicated at the city level.

And we would like to have you do what you can to support the slowing down of the demolition at Pete's Harbor. What happened is the BCDC issued a pretty fast track permit under an abbreviated region-wide permit to allow the dismantling and removal of the docks at Pete's Harbor.

And initially, there was just a reference to the
docks, and now it's the pilings. There's 72 pilings and
135 docks. It's a major project. It did not go to a
public hearing, and it did not go before the
Commissioners. And we spoke yesterday at the BCDC to ask
them for more environmental review and a public hearing
and Commission action. And our attorney, Ellen Trescott,
of Adams and Broadwell, has written a 10-page letter with
very good authority on this.

We would like to say that what we have discovered
is that the one Uccelli access strip is federal property.
The U.S Fish and Wildlife Service did not know that they
owned it. We discovered that, and we told them that. And
this is a very recent discovery. They've owned it since
1999.

We're talking to our county board of supervisors
about a potential land swap for a constant perpetual
public access there. And we're asking them, and the
federal Fish and Wildlife Service is interested in
guaranteeing perpetual public access. And we've asked
them for a non-exclusive easement in favor of the State
Lands Commission that could go appurtenant to this marina.

We have a marina builder, a contractor who has
built a marina in Stockton, who is willing to be on our
advisory board. And we also have potential grants from
the Water Trail to enable immediate use of the Water
Trail. And there's been a promise for 10 years here of water trail access that hasn't materialized. So we feel like there's a lot of momentum, and we're working with our county supervisors, the federal agencies, and the State. And we just would really like to see more time, if there's anything you can do to permit that.

ACTING CHAIRPERSON GARLAND: Thank you.
MS. MADDEN: Thank you.
ACTING CHAIRPERSON GARLAND: We have one additional card that was submitted for Aaron Riffenburgh. Aaron -- there we go.
Welcome, Mr. Riffenburgh.
MR. KIRBY: Thank you.
Hi. I'm Aaron Riffenburgh Kirby. I'm 13. And I'm the executive director of a youth led organization called ORB. We had about 15 youth that couldn't come today. So I am their voice, and we are here to tell you that the negative declaration can't possible pass the fair argument test. But if you were to approve this negative dec, be really sure that it won't have any significant environmental impact, because if it does, you will be the ones responsible that their parents can no longer guide ocean tours, because the sea life has been chased away or killed.
You will be the ones answering to the kids who lost their family fishing business. You are making jobs, but you are also taking jobs. Even if no sea life is killed, those supporting this permit admit that it will drive the animals away, collapsing the food chain, and severing the vital stream of revenue from the ocean.

I spoke to a fisherman, and he said during the testing there were no fish. Even the pelicans were skin and bones.

We are asking you to save our birds, save our fish, and save our jobs. Thank you.

And then I'm also authorized to speak for Eric Greening of Atascadero.

He urges denial of this blanket take -- this is for the issue on the solar panels in the desert. He urges the denial of the blanket take permit, because the plants and animals of the desert have an inherent right to exist. And no higher cause is served by their proposed sacrifice.

There is plenty of built environment and plenty of already degraded land available for solar panels. Covering the California desert with them will not combat climate change, because the California Renewable Energy Standard is ratio, not a replacement.

Nothing in it makes fossil fuel plants go away.

Once the 33 and one-third percent renewable target is met
by 2020, expansion of renewable energy production will allow fossil energy production to increase twice as fast. Please say no to the killing and disturbance of beautiful plants and animals, and thank you all.

EXECUTIVE OFFICER LUCCHESI: Thank you. If --

ACTING CHAIRPERSON GARLAND: Actually, if you could stay with us for just one second.

EXECUTIVE OFFICER LUCCHESI: As an explanation, we have already -- our Commission has already heard and voted on those. But what I understand is that you had originally come to the Capitol, and Capitol staff had given him directions to go to our office on Howe Avenue. And so he missed the consideration and the discussion occurring over those items.

MR. KIRBY: So you've already voted on both the items?

EXECUTIVE OFFICER LUCCHESI: Yes, we have. Yes, the Commission has. And if I may, we will -- this is the first time I'm aware of this happening. What we will endeavor to do is for each Commission meeting in the future that happens at the Capitol, we will work to let Capitol staff know, so that they can provide accurate instructions on where to find our Commission meetings.

MR. KIRBY: All right. And may I ask what you guys voted on those?
ACTING CHAIRPERSON GARLAND: Both of those items were passed.

MR. KIRBY: Okay.

ACTING CHAIRPERSON GARLAND: And can you tell me a little bit about your group.

MR. KIRBY: We're a --

ACTING CHAIRPERSON GARLAND: You came all this way and we kind of screwed up here by not letting you get up here when these items were up. So I apologize for the Capitol staff not knowing where we were and for you getting sent to the wrong place. And so tell me a little bit about this organization.

MR. KIRBY: We're a nonprofit that focuses on bringing youth together to focus on -- it's consecutive nonprofits. Unfortunately, we're based in -- or I'm based in SLO County, so we couldn't get kids up here. We couldn't get kids to miss school to come up here at like 5:00 o'clock in the morning to drive all the way up here. So I came to represent them, and -- yeah.

ACTING CHAIRPERSON GARLAND: Thank you for doing that.

MR. KIRBY: Thank you.

ACTING CHAIRPERSON GARLAND: And I apologize that you were sent to the wrong place. And can you make sure that you give your contact information to the Commission.
secretary, and so we can communicate back with you.

MR. KIRBY: All right.

ACTING CHAIRPERSON GARLAND: I would appreciate that.

MR. KIRBY: Thank you so much.

ACTING CHAIRPERSON GARLAND: Can you get his contact information for us.

Ms. Lucchesi, I believe that ends our public comment and our regular agenda. Do either of the Commissioners have anything else they'd like to say in open session before -- Ms. Lucchesi, where does that lead us?

EXECUTIVE OFFICER LUCCHESI: That leads us to adjourning open session and moving into closed session. And we ask that all the public and non-necessary staff leave the room for that.

ACTING CHAIRPERSON GARLAND: Now, we're recessing public session.

EXECUTIVE OFFICER LUCCHESI: Recessing, excuse me. Recessing it.

Thank you.

(Off record: 12:22 PM)
(Thereupon the meeting recessed into closed session.)
(On record: 12:34 PM)
ACTING CHAIRPERSON GARLAND: We're back from closed session. Is there anything to report from closed session?

EXECUTIVE OFFICER LUCCHESI: No.

ACTING CHAIRPERSON GARLAND: In that case, do we have a motion to adjourn?

ACTING COMMISSIONER GORDON: So moved.

ACTING COMMISSIONER ORTEGA: Second

ACTING CHAIRPERSON GARLAND: Moved and seconded.

We are adjourned.

(Thereupon the California State Lands Commission meeting adjourned at 12:35 PM)
CERTIFICATE OF REPORTER

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

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

That the said proceedings was taken before me, in shorthand writing, and was thereafter transcribed, 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 30th day of September, 2013.

James F. Peters, CSR, RPR
Certified Shorthand Reporter
License No. 10063