APPEARANCES

COMMISSION MEMBERS:
Mr. Gavin Newsom, Lieutenant Governor, Chairperson
Ms. Betty T. Yee, State Controller
Mr. Michael Cohen, Director of Department of Finance, represented by Ms. Eraina Ortega

STAFF:
Ms. Jennifer Lucchesi, Executive Officer
Mr. Mark Meier, Chief Counsel
Mr. Reid Boggiano, Public Land Management Specialist
Mr. Joe Fabel, Staff Attorney, Legal Division
Ms. Maren Farnum, Staff Environmental Scientist
Mr. Patrick Huber, Staff Attorney
Ms. Kim Lunetta, Administrative Assistant
Ms. Sheri Pemberton, Chief, External Affairs and Legislative Liaison

ATTORNEY GENERAL:
Jennifer Rosenfeld, Deputy Attorney General

ALSO PRESENT:
Mr. Nathan Alonzo, Fresno Chamber of Commerce
Mr. David Beaupre, Port of San Francisco
Mr. Bruce Campbell
Mr. Brad Castillo
ALSO PRESENT:

Mr. Zachary Darrah, Fresno Interdenominational Refugee Ministries (FIRM)
Ms. Jenn Eckerle, Ocean Protection Council
Mr. Mark Krausse, Pacific Gas & Electric
Mr. Rey León, Latino Environmental Advancement and Policy, Access for All
Ms. Melinda Marks, San Joaquin River Conservancy
Mr. Radley Reep
Ms. Jennifer Savage, Surfrider Foundation
Ms. Sharon Weaver, San Joaquin River Parkway Trust
12:30 P.M. – 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:

A. LITIGATION.

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

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

- California State Lands Commission v. City and County of San Francisco
- Center for Biological Diversity v. California State Lands Commission
- City of Goleta v. California State Lands Commission
- In re: Rincon Island Limited Partnership Chapter 11
- In re: Venoco, LLC, Bankruptcy Chapter 11
- Little Beaver Land Company, Inc. v. State of California
- Martins Beach 1, LLC and Martins Beach 2, LLC v. Effie Turnbul-Sanders, et al.
- Nowell Investment Company v. State of California; California State Lands Commission
2. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(b), under which;

a. A point has been reached where, in the opinion of the Commission, on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the Commission, or

b. Based on existing facts and circumstances, the Commission is meeting only to decide whether a closed session is authorized because of a significant
3. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(C), where, based on existing facts and circumstances, the state body has decided to initiate or is deciding whether to initiate litigation.

II OPEN SESSION

III CONFIRMATION OF MINUTES FOR THE MEETING OF OCTOBER 19, 2017

IV EXECUTIVE OFFICER’S REPORT

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

- Helio A. Fialho and Therese S. Fialho, Trustees of the Fialho Family Trust; and Brian J. Mettler (Lessee): Continuation of annual rent at $2,706 per year for a General Lease – Recreational Use located on sovereign land in Lake Tahoe, adjacent to 1600 and 1620 North Lake Boulevard, near Tahoe City, Placer County. (PRC 5561.1)

- 10:10 Holdings, LLC, a California Limited Liability Company (Lessee): Continuation of annual rent at $377 per year for a General Lease – Recreational Use located on sovereign land in Lake Tahoe, adjacent to 8551 Meeks Bay Avenue, near Tahoma, El Dorado County. (PRC 8419.1)

- 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 (Lessee): Continuation of annual rent at $754 per year for a General Lease – Recreational Use located on sovereign land in Lake Tahoe,
adjacent to 640 Olympic Drive, near Tahoe City, Placer County. (PRC 8658.1)

- Rajit Kumar Agrawal and Reena Modi Agrawal, Trustees of The Rajit and Reena Agrawal Living Trust (Lessee): Continuation of annual rent at $754 per year for a General Lease – Recreational Use located on sovereign land in Lake Tahoe, adjacent to 9902 Lake Street, Kings Beach, Placer County. (PRC 8854.1)

- Kathlyn F. Gallo and Patrick T. Beckley (Lessees): Continuation of annual rent at $248 per year for a General Lease – Recreational Use located on sovereign land in Georgiana Slough, adjacent to 405 West Willow Tree Lane, near Isleton, Sacramento County. (PRC 4726.1)

- 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 (Lessee): Continuation of annual rent at $1,312 per year for a General Lease – Recreational Use located on sovereign land in Lake Tahoe, adjacent to 8873 and 8879 Rubicon Drive, near Tahoma, El Dorado County. (PRC 3653.1)

- AKM Retreat, LLC, a Delaware Limited Liability Company (Lessee): Continuation of annual rent at $2,402 per year for a General Lease – Recreational Use located on sovereign land in Lake Tahoe, adjacent to 2500 West Lake Boulevard, near Tahoe City, Placer County. (PRC 4158.1)

- Anne Crowley, and her successor(s), as the Trustee of the Reilly 2012 Irrevocable Trust, which is established under the Reilly 2012 Irrevocable Trust Agreement dated December 19, 2012 (Lessee): Continuation of annual rent at $1,602 per year for a General Lease –
Recreational Use located on sovereign land in Lake Tahoe, adjacent to 5850 North Lake Boulevard, near Carnelian Bay, Placer County. (PRC 6609.1)

- Douglas P. Ley and Linda M. Gaudiani, Trustees of the Gaudiani-Ley 2007 Trust Dated August 28, 2007 (Lessee): Continuation of annual rent at $754 per year for a General Lease – Recreational Use located on sovereign land in Lake Tahoe, adjacent to adjacent to 8781 Rubicon Drive, Rubicon Bay, El Dorado County. (PRC 8210.1)

V CONSENT CALENDAR C01-C75

THE FOLLOWING ITEMS ARE CONSIDERED TO BE NONCONTROVERSIAL AND ARE SUBJECT TO CHANGE AT ANY TIME UP TO THE DATE OF THE MEETING.

LAND MANAGEMENT DIVISION
NORTHERN REGION

C01 STANLEY J. PURA AND JAMII EADE PURA, AS TRUSTEES OF THE 2006 PURA REVOCABLE TRUST, DATED FEBRUARY 28, 2006; AND BRUCE J. POHLE AND SHARON POHLE, TRUSTEES OF THE BRUCE J. POHLE AND SHARON POHLE 1970 REVOCABLE LIVING TRUST (ASSIGNOR); JOSEPH A. MCCARTHY, TRUSTEE OF THE JOSEPH A. MCCARTHY REVOCABLE TRUST DATED JUNE 22, 1998; AND JOHN F. BRENNA AND LISA BRENNA (ASSIGNEE): Consider application for an assignment of Lease No. PRC 3652.9, a Recreational Pier Lease, of sovereign land located in Lake Tahoe, adjacent to 4170 and 4176 Ferguson Avenue, near Carnelian Bay, Placer County; for an existing joint-use pier, two boat lifts, and four mooring buoys. CEQA Consideration: not a project. (PRC 3652.9; RA# 25816) (A 1; S 1) (Staff: M.J. Columbus)

C02 DUME VIEW, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (ASSIGNOR); TRANQUIL WATERS, LLC, A NEVADA LIMITED LIABILITY COMPANY (ASSIGNEE): Consider application for the assignment of Lease No. PRC 3695.1, a General Lease – Recreational
Use, of sovereign land located in Lake Tahoe, adjacent to 4750 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier with boat slip, boat lift, boat hoist, sundeck with stairs, and two mooring buoys. CEQA Consideration: not a project. (PRC 3695.1; RA# 32416) (A 1; S 1) (Staff: M.J. Columbus)

C03 TRUCKEE-DONNER RECREATION AND PARK DISTRICT (APPLICANT): Consider application for a General Lease – Public Agency Use, of sovereign land located in Donner Lake, adjacent to 15511 Donner Pass Road, near Truckee, Nevada County; for an existing concrete boat launching ramp, two uncovered floating boat docks, raised boardwalk, and bank protection. CEQA Consideration: categorical exemption. (PRC 3952.9; RA# 21416) (A 1; S 1) (Staff: M.J. Columbus)

C04 LAKE FOREST UNIT #3 PROPERTY OWNERS ASSOCIATION, INCORPORATED (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3670 North Lake Boulevard, near Tahoe City, Placer County; for an existing pier and 20 mooring buoys previously authorized by the Commission and an existing boat hoist and stairs not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 5685.1; RA# 32116) (A 1; S 1) (Staff: M.J. Columbus)

C05 STEVEN D. MELLEMA AND CYNTHIA L. MELLEMA (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Donner Lake, adjacent to 13671 Donner Pass Road, near Truckee, Nevada County; for an existing pier and boat hoist. CEQA Consideration: categorical exemption. (PRC 7284.1; RA# 28115) (A 1; S 1) (Staff: M.J. Columbus)

C06 HOMEWOOD VILLAS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (LESSEE); HOMEWOOD SHORES ASSOCIATION, A CALIFORNIA NONPROFIT MUTUAL BENEFIT CORPORATION (APPLICANT): Consider termination of Lease No. PRC 9071.1, a General Lease – Recreational Use, and an application for
a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5138 West Lake Boulevard, near Homewood, Placer County; for an existing pier with proposed replacement of an existing catwalk with an adjustable catwalk. CEQA Consideration: categorical exemption. (PRC 9071.1) (A 1; S 1) (Staff: M.J. Columbus)

C07 LACHLAN M. RICHARDS, TRUSTEE OF THE LSR TRUST DATED DECEMBER 11, 2012; STEPHEN F. MCCARL AND KIM S. MCCARL, AS TRUSTEES OF THE MCCARL FAMILY TRUST (SPW), UNDER DECLARATION OF TRUST DATED NOVEMBER 1, 2001; AND WAYNE R. ROWLANDS, AS TRUSTEE OF THE SEPARATE SHARE TRUST F/B/O COURTNEY E. ROWLANDS, CREATED UNDER THE 1997 ROWLANDS FAMILY TRUST U/T/A DATED APRIL 24, 1997 (APPLICANT): Consider an application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3071 Jameson Beach Road, city of South Lake Tahoe, El Dorado County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 3241.1; RA# 30316) (A 5; S 1) (Staff: K. Connor)

C08 SUZANNE SCHARF (APPLICANT): Consider an application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4910 West Lake Boulevard, near Homewood, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 3622.1; RA# 01817) (A 1; S 1) (Staff: K. Connor)

C09 JOE MASSOLO AND SONS TRUCKING COMPANY, INC., A CALIFORNIA CORPORATION (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8751 Rubicon Drive, near Rubicon Bay, El Dorado County; for an existing pier, boathouse, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4063.1; RA# 27116) (A 5; S 1) (Staff: K. Connor)

C10 JRB PROPERTY COMPANY II, L.P., A CALIFORNIA LIMITED PARTNERSHIP (LESSEE): Consider an
amendment of lease and revision of rent to Lease No. PRC 4172.1, a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2720 West Lake Boulevard, near Homewood, Placer County; for an existing pier, boathouse with boat lift, sundeck with stairs, and two mooring buoys. CEQA Consideration: not projects. (PRC 4172.1) (A 1; S 1) (Staff: K. Connor)

C11 WILLIAM E. DOYLE AND MARION J. DOYLE FAMILY LIMITED PARTNERSHIP (LESSEE); ROBERT F. WHITTEY, TRUSTEE OF THE RM KARADANIS 2001 IRREVOCABLE TRUST (APPLICANT): Consider waiver of rent, penalty, and interest; acceptance of a quitclaim deed for Lease No. 7805.1, a General Lease – Recreational Use; and an application for a General Lease – Recreational Use, of sovereign land located in Donner Lake, adjacent to 13880 South Shore Drive, near Truckee, Nevada County; for an existing fixed pier and floating boat dock. CEQA Consideration: categorical exemption. (PRC 7805.1; RA# 20016) (A 1; S 1) (Staff: K. Connor)

C12 GERHARD H. PARKER AND CAROL PARKER (APPLICANT): Consider an application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2215 Cascade Road, near South Lake Tahoe, El Dorado County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 8008.1; RA# 20116) (A 5; S 1) (Staff: K. Connor)

C13 JAROSLAW GLEMBOCKI, OR HIS SUCCESSOR(S), TRUSTEE UNDER REVOCABLE TRUST AGREEMENT DATE AUGUST 24TH, 2001, AS AMENDED (ASSIGNOR); LOS ESTEROS ASSOCIATES, LIMITED PARTNERSHIP AGREEMENT (ASSIGNEE): Consider an application for an assignment of Lease No. PRC 8250.1, a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5090 West Lake Boulevard, near Homewood, Placer County; for two existing mooring buoys. CEQA Consideration: not a project. (PRC 8250.1; RA# 05117) (A 1; S 1) (Staff: K. Connor)
C14 TAHOE BOAT COMPANY OWNERS ASSOCIATION (APPLICANT): Consider termination of Lease No. PRC 7920.1, a General Lease – Commercial Use; an application for a General Lease – Commercial Use; and approval of Member Subleases, of sovereign land located in Lake Tahoe, adjacent to 700 North Lake Boulevard, Tahoe City, Placer County; for a commercial marina consisting of boat slips, docks, sheet pile crib walls, and a boathouse. CEQA Consideration: categorical exemption. (PRC 7920.1; RA# 10914) (A 1; S 1) (Staff: N. Lee, W. Crunk)

C15 DANNY GIOVANNONI, THOMAS GIOVANNONI, AND REBECCA GIOVANNONI (ASSIGNOR); CRAIG C. WALKER (ASSIGNEE): Consider application for the assignment of Lease No. PRC 9222.1, a General Lease – Recreational and Protective Structure Use, of sovereign land located in the Napa River, adjacent to 1234 Milton Road, city of Napa, Napa County; for an existing floating boat dock, appurtenant facilities, a deck, and bank protection. CEQA Consideration: not a project. (PRC 9222.1; RA# 00417) (A 4; S 3) (Staff: M. Schroeder)

C16 CVIN, LLC (LESSEE): Consider amendment of Lease No. PRC 9296.9, a General Lease – Right-of-Way Use, of sovereign land located in the Sacramento, Feather, Stanislaus, Tuolumne, and Merced Rivers, in Colusa, Sutter, Yuba, San Joaquin, Stanislaus, and Merced counties; for the proposed installation of a conduit carrying a fiber optic cable and removal of another conduit carrying fiber optic cables. CEQA Consideration: Mitigated Negative Declaration, adopted by the City of Yuba City, State Clearinghouse No. 2013082011. (PRC 9296.9; RA# 11916)(A 3, 12, 21; S 4, 5, 8, 12) (Staff: M. Schroeder)

C17 THE WILDLANDS CONSERVANCY (APPLICANT): Consider application for a General Lease – Other, of sovereign land located in the Eel River Estuary Preserve, including Cutoff Slough, Centerville Slough and historic tidal sloughs, adjacent to Assessor’s Parcel Numbers 100-121-01, 100-143-01,
100-142-01; 100-131-03, and -04; 100-121-04, and -05, near Ferndale, Humboldt County; for the Eel River Estuary Preserve Ecosystem Enhancement Project. CEQA Consideration: Environmental Impact Report, certified by the California Coastal Conservancy, State Clearinghouse No. 2014122040, and adoption of a Mitigation Monitoring Program and Statement of Findings. (W 27113; RA# 27316) (A 2; S 2) (Staff: M. Schroeder)

C18 TAHOE YACHT HARBOR, LLC (LESSEE): Consider revision of rent to Lease No. PRC 706.1, a General Lease – Commercial Use, of sovereign land located in Lake Tahoe, adjacent to 700 North Lake Boulevard, near Tahoe City, Placer County; for an existing commercial marina, known as Tahoe City Marina. CEQA Consideration: not a project. (PRC 706.1) (A 1; S 1) (Staff: J. Toy)

C19 LIBERTY UTILITIES (CALPECO ELECTRIC) LLC (LESSEE): Consider revision of rent to Lease No. PRC 944.1, a General Lease – Right-of-Way Use, of sovereign land located in Lake Tahoe, adjacent to Assessor's Parcel Numbers 018-041-04 and 018-060-05, near Emerald Bay, El Dorado County; for a power cable and an inoperable power cable abandoned in place. CEQA Consideration: not a project. (PRC 944.1) (A 5; S 1) (Staff: J. Toy)

C20 GUS C. GIANULIAS AND JULIE M. GIANULIAS, TRUSTEES OF THE GUS C. AND JULIE M. GIANULIAS FAMILY REVOCABLE TRUST, ESTABLISHED JANUARY 20, 1983 (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 3556.1, a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3880 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier and one mooring buoy. CEQA Consideration: not projects. (PRC 3556.1) (A 1; S 1) (Staff: J. Toy)

C21 JAMES A. ASTORIAN AND KATHRIN C. ASTORIAN (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 3755.1, a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4160
Ferguson Avenue, near Carnelian Bay, Placer County; for an existing pier, boathouse with a boat lift, two boat lifts, and two mooring buoys. CEQA Consideration: not projects. (PRC 3755.1) (A 1; S 1) (Staff: J. Toy)

C22 DREAMY, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 4120.1, a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 291 and 301 Paradise Flat Lane, near Rubicon Bay, El Dorado County; for an existing pier and two mooring buoys. CEQA Consideration: not projects. (PRC 4120.1) (A 5; S 1) (Staff: J. Toy)

C23 JON W. BALL AND PAULA K. BALL, TRUSTEES OF THE JON W. BALL AND PAULA K. BALL FAMILY TRUST (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 4994.1, a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4850 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, marine railway, and one mooring buoy. CEQA Consideration: not projects. (PRC 4994.1) (A 1; S 1) (Staff: J. Toy)

C24 HAWKINS INSULATION COMPANY, INC. AND LYON INVESTMENTS, LP, A CALIFORNIA LIMITED PARTNERSHIP (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 5884.1, a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5620 and 5650 West Lake Boulevard, near Homewood, Placer County; for an existing joint-use pier, boat lift, and four mooring buoys. CEQA Consideration: not projects. (PRC 5884.1) (A 1; S 1) (Staff: J. Toy)

BAY/DELTA REGION

C25 J. JOSEPH MCDOWELL AND MARILYN MCDOWELL, TRUSTEES OF THE MCDOWELL LIVING TRUST, UTA 5/27/93 (LESSEE); LYNETTE L. BRYDON, TRUSTEE OF THE LYNETTE L. BRYDON REVOCABLE TRUST, DATED MARCH
INDEX CONTINUED

PAGE

20, 2002 (APPLICANT): Consider acceptance of a lease quitclaim deed for Lease No. PRC 7695.9, a General Lease – Recreational and Protective Structure Use, and an application for a General Lease – Recreational and Protective Structure Use, of sovereign land located in Georgiana Slough, adjacent to 16909 Terminous Road, near Isleton, Sacramento County; for an existing floating boat dock, appurtenant facilities, and existing bank protection. CEQA Consideration: categorical exemption. (PRC 7695.1; RA# 30416) (A 11; S 3) (Staff: G. Asimakopoulos)

C26 MILDERD LEATHAM, SUCCESSOR TRUSTEE TO GEORGE LEATHAM, TRUSTEE OF THE GEORGE LEATHAM FAMILY TRUST, UNDER TRUST DATED MAY 22, 2015 (ASSIGNOR); TIMOTHY SCOTT GARTON (ASSIGNEE): Consider application for the assignment of Lease No. PRC 2646.1, General Lease – Recreational and Residential Use, of sovereign land located in Mare Island Strait, adjacent to 9 Sandy Beach Road, near Vallejo, Solano County; for a portion of an existing residence, deck, and appurtenant facilities. CEQA Consideration: not a project. (PRC 2646.1; RA# 06217) (A 14; S 3) (Staff: V. Caldwell)

C27 PLAINS PRODUCTS TERMINALS LLC (ASSIGNOR); TRANSMONTAIGNE OPERATING COMPANY L.P. (ASSIGNEE): Consider assignment of Lease No. PRC 4769.1, a General Lease – Industrial Use, of filled and unfilled sovereign land located in Suisun Bay and Pacheco Slough, adjacent to Waterfront Road, near Martinez, Contra Costa County; for a marine oil terminal and appurtenant facilities. CEQA Consideration: not a project. (PRC 4769.1; RA# 09717) (A 14; S 3) (Staff: V. Caldwell)

C28 CHE SHENG CHAO AND WEI YUAN CHAO; KEITH KAI TSU AND CARMELITA KO; BURK H. CHUNG AND MARY A.L. CHUNG; CHARLES NIP AND PATRICIA NIP; RAYMOND K. LI AND CHI F. LI; AND KWOK HUNG SZETO AND NIKKI SZETO (LESSEE): Consider revision of rent to Lease No. PRC 4683.1, a General Lease – Commercial Use, of filled sovereign land located in San Francisco Bay, near Burlingame, San Mateo
County; for a commercial parking lot. CEQA Consideration: not a project. (PRC 4683.1) (A 22; S 13) (Staff: A. Franzoia)

C29 BURLINGAME BAY PARK HOTEL, LLC (APPLICANT): Consider application for a General Lease – Recreational and Protective Structure Use of sovereign land located in San Francisco Bay, city of Burlingame, San Mateo County, to maintain access to and functionality of the existing San Francisco Bay Trail; maintain signage and cyclone fencing; remove all trash, rubbish, and debris; reduce potential fire hazards; and monitor shoreline protective structures. CEQA Consideration: categorical exemption. (W 26981; RA# 35315) (A 22; S 13) (Staff: A. Franzoia)

C30 THE REED LEASING GROUP, LLC (APPLICANT): Consider application for a General Lease – Right-of-Way Use, of sovereign land located in the historic channel of the Tuolumne River, near Waterford, Stanislaus County; for a paved haul road. CEQA Consideration: categorical exemption. (PRC 7637.1; RA# 28616) (A 12; S 8) (Staff: J. Holt)

C31 SACRAMENTO VALLEY CONSERVANCY (LESSEE): Consider application for an amendment of lease and continuation of rent for Lease No. PRC 9033.1, a General Lease, of sovereign land located near the American River, Assessor’s Parcel Numbers 274-0120-007 and 274-0120-009, city of Sacramento, Sacramento County; for Camp Pollock. CEQA Consideration: categorical exemption. (PRC 9033.1) (A 7; S 6) (Staff: J. Holt)

C32 DECKER ISLAND, LLC (LESSEE): Consider acceptance of a lease quitclaim deed for Lease No. PRC 9142.1, a General Lease – Right-of-Way Use, of sovereign land in Horseshoe Bend, near Rio Vista, Sacramento and Solano Counties; for a proposed power cable. CEQA Consideration: not a project. (PRC 9142.1; RA# 01517) (A 11; S 3) (Staff: J. Holt)

C33 JAIME FAVILA JR. AND KATHRYN A. FAVILA (LESSEE): Consider revision of rent to Lease No. PRC
3590.1, a General Lease – Recreational Use, of sovereign land located in the Sacramento River, adjacent to 7140 Pocket Road, city of Sacramento, Sacramento County; for an existing boat dock and appurtenant facilities. CEQA Consideration: not a project. (PRC 3590.1) (A 9; S 6) (Staff: D. Simpkin)

C34 INVESTORS OF KING ISLAND, INC. (LESSEE): Consider a revision of rent to Lease No. PRC 6846.1, a General Lease – Commercial, Right-of-Way, and Protective Structure Use, of sovereign land located in the Old River at King Island, near Byron, San Joaquin and Contra Costa counties; for 10 floating boat docks, a bridge, roadway, fill, bank protection, and a removable water intake float. CEQA Consideration: not a project. (PRC 6846.1) (A 13, 14; S 5, 7) (Staff: D. Simpkin)

C35 JOHN O. WYATT, TRUSTEE OF THE JOHN O. WYATT, JR. TRUST, INITIALLY ESTABLISHED ON AUGUST 14, 2001 (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 7604.1, a General Lease – Recreational Use, of sovereign land located in the Sacramento River, adjacent to 14060 State Highway 160, near Walnut Grove, Sacramento County; for an existing boat dock and appurtenant facilities. CEQA Consideration: not projects. (PRC 7604.1) (A 11; S 3) (Staff: D. Simpkin)

C36 VINTAGE PRODUCTION CALIFORNIA LLC (LESSEE): Consider revision of rent to Lease No. PRC 8734.1, a General Lease – Right-of-Way Use, of sovereign land located in the San Joaquin River, near Lathrop, San Joaquin County; for an existing natural gas pipeline. CEQA Consideration: not a project. (PRC 8734.1) (A 13; S 5) (Staff: D. Simpkin)

C37 LARKSPUR SHORES HOMEOWNERS ASSOCIATION (APPLICANT): Consider termination of Lease No. PRC 5549.1, a General Lease – Recreational Use; and application for a General Lease – Recreational and Protective Structure Use, of sovereign land located in Corte Madera Creek,
adjacent to 635 South Eliseo Drive, Greenbrae, Marin County; for the removal of an existing boat dock and gangway, and the construction, use, and maintenance of a new boat dock and appurtenant facilities, previously authorized by the Commission and the continued use and maintenance of bank protection, not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 5549.1; RA# 03317) (A 10; S 2) (Staff: D. Tutov)

C38 PRUDENTIAL FINANCIAL INSURANCE COMPANY OF AMERICA (LESSEE): Consider revision of rent to Lease No. PRC 7876.1, a General Lease – Right-of-Way Use, of sovereign land in Belmont Slough, near Redwood City, San Mateo County; for two storm water outfalls and rock riprap. CEQA Consideration: not a project. (PRC 7876.1) (A 22; S 13) (Staff: D. Tutov)

C39 CALIFORNIA STATE COASTAL CONSERVANCY (APPLICANT): Consider application for a General Lease – Public Agency Use, of sovereign land located in San Pablo Bay, at Giant Marsh, near Point Pinole Regional Shoreline in Richmond, Contra Costa County; for habitat restoration of oyster beds, eelgrass, and tidal marsh. CEQA Consideration: categorical exemption. (W 27114; RA# 28916) (A 15; S 9) (Staff: D. Tutov)

C40 ROBERT CARDWELL (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Tomales Bay, adjacent to 98 Camino Del Mar, near Inverness, Marin County; for a proposed mooring buoy. CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (W 27127; RA# 07216) (A 10; S 2) (Staff: D. Tutov)

CENTRAL/SOUTHERN REGION

C41 GERALD A. JONES, TRUSTEE OF THE GERALD A. JONES AND MARILYN L. JONES REVOCABLE TRUST DATED SEPTEMBER 12, 1985 (LESSEE): Consider revision of rent to Lease No. PRC 3079.1, a General Lease –
Recreational Use, of sovereign land located in the Midway Channel of Huntington Harbour, adjacent to 3442 Gilbert Drive, Huntington Beach, Orange County, for a boat dock, access ramp, and cantilevered deck. CEQA Consideration: not a project. (PRC 3079.1)(A 72; S 34) (Staff: S. Avila)

C42 LAWRENCE C. TISTAERT, TRUSTEE OF THE CHILDREN’S TRUST ESTATE OF THE JAMES H. DEWALD AND WANDA E. DEWALD TRUST DATED AUGUST 13, 1986, AS AMENDED (APPLICANT): Consider an amendment to Lease No. PRC 3569.1, a General Lease – Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 17051 Bolero Lane, Huntington Beach, Orange County; for the removal of an existing boat dock and access ramp; the construction, use, and maintenance of a new boat dock and access ramp; and the use and maintenance of an existing cantilevered deck. CEQA Consideration: categorical exemption. (PRC 3569.1; RA# 03917) (A 72; S 34) (Staff: S. Avila)

C43 SIMON B. RAYHANABAD AND KELARICE RAYHANABAD, TRUSTEES OF THE RAYHANABAD TRUST ESTABLISHED MARCH 9, 1995 (LESSEE): Consider revision of rent to Lease No. PRC 3578.1, a General Lease – Recreational and Protective Structure Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16591 Carousel Lane, Huntington Beach, Orange County, for a boat dock, access ramp, cantilevered deck, and bulkhead protection. CEQA Consideration: not a project. (PRC 3578.1) (A 72; S 34) (Staff: S. Avila)

C44 STILLWATER YACHT CLUB (LESSEE): Consider application for a General Lease – Recreational Use, of sovereign land located in Stillwater Cove, adjacent to 2700 17 Mile Drive, Pebble Beach, Monterey County; for mooring buoys and anchors, and floating boat docks. CEQA Consideration: categorical exemption. (PRC 6764.1;RA# 22516) (A 29; S 17) (Staff: S. Avila)
C45 NATHAN CHEN AND JENNIE CHEN, TRUSTEES OF THE NATHAN CHEN FAMILY TRUST (LESSEE): Consider revision of rent to Lease No. PRC 8237.1, a General Lease – Recreational and Protective Structure Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16641 Carousel Lane, Huntington Beach, Orange County, for a boat dock, access ramp, cantilevered deck, and bulkhead protection. CEQA Consideration: not a project. (PRC 8237.1) (A 72; S 34) (Staff: S. Avila)

C46 SAN PEDRO BAY PIPELINE COMPANY (ASSIGNOR); SAN PEDRO BAY PIPELINE COMPANY (ASSIGNEE): Consider application for the assignment and amendment of Lease No. PRC 5636.1, General Lease – Right of Way Use, of sovereign lands located in the Pacific Ocean, San Pedro Bay, offshore of Seal Beach and Huntington Beach, Orange County; for a crude oil pipeline serving Platform Elly located in federal waters. CEQA Consideration: not a project. (PRC 5636.1; RA# 04217) (A 70; S 33) (Staff: L. Pino)

C47 WESTERN LOS ANGELES COUNTY COUNCIL, INC., BOY SCOUTS OF AMERICA (LESSEE): Consider revision of rent to Lease No. PRC 6442.1, a General Lease – Recreational Use, of sovereign land located in the Pacific Ocean at Emerald Bay and Doctor’s Cove, near Two Harbors, Santa Catalina Island, Los Angeles County; for two fixed piers, two gangways, two floating dock modules connecting the two piers, an attached boat landing float; two moorings, four small boat moorings; and seasonal swim area with a swim-line and floating barge. CEQA Consideration: not a project. (PRC 6442.1) (A 70; S 26) (Staff: L. Pino)

C48 INTERVARSITY CHRISTIAN FELLOWSHIP USA (LESSEE): Consider revision of rent to Lease No. PRC 6456.1, a General Lease – Recreational Use, of sovereign land located in the Pacific Ocean at Gallagher Beach, Santa Catalina Island, Los Angeles County; for a pier, access ramp, floating dock, swim area, and seven moorings. CEQA Consideration: not a project. (PRC 6456.1) (A 70;
<table>
<thead>
<tr>
<th>INDEX CONTINUED</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 26) (Staff: L. Pino)</td>
<td></td>
</tr>
</tbody>
</table>

| C49 | GUIDED DISCOVERIES, INC. (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 6457.1, a General Lease – Recreational Use, of sovereign land located in the Pacific Ocean at Toyon Bay, Santa Catalina Island, Los Angeles County; for a pier, gangway, floating dock, seasonal swim and SCUBA areas, nine moorings, and two safety cans. CEQA Consideration: not projects. (PRC 6457.1) (A 70; S 26) (Staff: L. Pino) |

| C50 | CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES): Consider acceptance of an offer to dedicate a lateral public access easement adjacent to 6746 Breakers Way, in Mussel Shoals, Ventura County. CEQA Consideration: not a project. (W 24665) (A 37; S 19) (Staff: L. Pino) |

| C51 | OXNARD HARBOR DISTRICT (APPLICANT): Consider application for a General Lease – Public Agency Use, of sovereign land located in the Pacific Ocean near Hueneme Beach, Port Hueneme, Ventura County; for the deposition of approximately 30,000 cubic yards material suitable for beach nourishment. CEQA Consideration: Mitigated Negative Declaration, adopted by the Oxnard Harbor District, State Clearinghouse No. 2017011049, and adoption of a Mitigation Monitoring Program. (W 27132; RA# 04117) (A 44; S 19) (Staff: L. Pino) |

| C52 | SAN DIEGO UNIFIED PORT DISTRICT (LESSEE): Consider application for an amendment to Lease No. PRC 8912.9, a General Lease – Public Agency Use, of sovereign land located in San Diego Bay, near Chula Vista, San Diego County; to authorize activities associated with the proposed Site 6 Preparation Grading Plan. CEQA Consideration: Environmental Impact Report, adopted by the San Diego Unified Port District, State Clearinghouse No. 2005081077. (PRC 8912.9; RA# 04717) (A 80; S 40) (Staff: L. Pino) |

| C53 | EMERALD BAY COMMUNITY ASSOCIATION (LESSEE): Consider revision of rent to Lease No. PRC |
INDEX CONTINUED

4513.1, a General Lease – Recreational Use, of sovereign land located in Emerald Bay, near Laguna Beach, Orange County; for seven marker buoys and three swimmer safety lines. CEQA Consideration: not a project. (PRC 4513.1) (A 74; S 37) (Staff: D. Simpkin)

C54 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, to allow for emergency repairs in response to high spring runoff conditions and consider delegation of authority to Executive Officer to authorize alternative dust control measure on T37-2 on the bed of Owens Lake, Inyo County. CEQA Consideration: categorical and statutory exemption. (PRC 8079.9; RA# 29516) (A 26; S 8) (Staff: D. Simpkin)

C55 AT&T CORP. (LESSEE): Consider application for an amendment to Lease No. PRC 8154.1, General Lease – Non-Exclusive Right-of-Way Use, of sovereign land located in the Pacific Ocean, offshore of Morro Bay, San Luis Obispo County; to remove one fiber optic cable, revise the annual rent, and modify the lease terms. CEQA Consideration: Environmental Impact Report previously certified by the California State Lands Commission, State Clearinghouse No. 99051063, and Addendum. (PRC 8154.1; RA# 26015) (A 35; S 17) (Staff: D. Simpkin)

C56 AT&T CORP. (LESSEE): Consider application for an amendment to Lease No. PRC 8278.1, General Lease – Non-Exclusive Right-of-Way Use, of sovereign land located in the Pacific Ocean, offshore of Morro Bay, San Luis Obispo County; to remove one fiber optic cable, revise the annual rent, and modify the lease terms. CEQA Consideration: Environmental Impact Report previously certified by the California State Lands Commission, State Clearinghouse No. 99051063, and Addendum. (PRC 8278.1; RA# 26015) (A 35; S 17) (Staff: D. Simpkin)
C57 CALIFORNIA AMERICAN WATER COMPANY (LESSEE): Consider application for an amendment to Lease No. PRC 9177.1, a General Lease – Right-of-Way Use, of sovereign land located in the Pacific Ocean, Monterey Bay, near Marina, Monterey County; for a temporary exploratory test slant water well. CEQA Consideration: categorical exemption. (PRC 9177.1; RA# 01612) (A 29; S 17) (Staff: D. Simpkin)

C58 REGENTS OF THE UNIVERSITY OF CALIFORNIA SAN DIEGO (APPLICANT): Consider application for a General Lease – Other, of sovereign land located in the Pacific Ocean, adjacent to Naval Amphibious Base Coronado, city of Coronado, San Diego County; for the installation of up to eight seafloor bottom mounted pressure and current sensors. CEQA Consideration: categorical exemption. (W 27130; RA# 02017) (A 78; S 39) (Staff: D. Simpkin)

C59 L.A. SEISMIC, LLC (APPLICANT): Consider application for a General Lease – Other, of sovereign land located in the Pacific Ocean, adjacent to Seal Beach, city of Seal Beach, Orange County; for the installation of 116 geophone seismic nodes. CEQA Consideration: categorical exemption. (W 27133; RA# 03717) (A 72; S 34) (Staff: D. Simpkin)

SCHOOL LANDS

C60 JOHN MATLEY & SON (APPLICANT): Consider application for a General Lease – Grazing Use, of State-owned school land located in Section 16, Township 25 North, Range 15 East and a portion of Section 36, Township 26 North, Range 15 East, MDM, near Doyle, Plumas County; for livestock grazing. CEQA Consideration: categorical exemption. (PRC 5531.2; RA# 29716) (A 1; S 1) (Staff: J. Porter)

C61 TIMOTHY GRUBB (APPLICANT): Consider application for a General Lease – Right-of-Way Use, of State-owned school land located in a portion of Section 16, Township 36 North, Range 5 West, MDM, west of Lamoine, Shasta County, for an existing
INDEX CONTINUED

water storage tank and pipeline. CEQA Consideration: categorical exemption. (PRC 6807.2; RA# 29616) (A 1; S 1) (Staff: J. Porter)

C62 SPRINT COMMUNICATIONS COMPANY L.P. (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of five State-owned school land parcels totaling 2.75 acres, more or less, located east of Barstow and west of Mountain Pass, San Bernardino County; for a fiber optic. CEQA Consideration: categorical exemption. (PRC 7201.2; RA# 03017) (A 33; S 16) (Staff: J. Porter)

C63 CALIFORNIA STATE LANDS COMMISSION, ACTING AS THE SCHOOL LAND BANK FUND TRUSTEE (PARTY): Consider delegating authority to the Executive Officer to solicit bids, and award and execute an agreement for a Land Investment Consultant. CEQA Consideration: not a project. (W 26086) (A & S: Statewide) (Staff: J. Porter, P. Huber, A. Abeleda)

C64 IMPERIAL IRRIGATION DISTRICT (LESSEE): Consider a revision of rent to Lease No. PRC 7188.2, a General Lease - Right-of-Way Use, of State school and lieu lands located in a portion of Section 30 and Section 36, Township 9 South, Range 13 East, SBM, east of the Salton Sea, Imperial County; for an electrical transmission line. CEQA Consideration: not a project. (PRC 7188.2) (A 56; S 40) (Staff: D. Simpkin)

MINERAL RESOURCES MANAGEMENT

C65 CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER (APPLICANT): Consider an application for a Non-Exclusive Geological Survey Permit on State-owned sovereign lands located in the northwestern portion of Owens Lake, Inyo County. CEQA Consideration: categorical exemption. (W 6005.186; RA# 07617) (A 34; S 18) (Staff: R. B. Greenwood)

C66 CLE ENGINEERING (APPLICANT): Consider an application for a General Permit to conduct
geophysical surveys on tide and submerged lands under the jurisdiction of the California State Lands Commission. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and Addendum, State Clearinghouse No. 2013072021. (W 6005.185, RA# 06417) (A & S: Statewide) (Staff: R. B. Greenwood)

C67 SCRIPPS INSTITUTION OF OCEANOGRAPHY (APPLICANT): Consider an application for a Non-Exclusive Geophysical Survey Permit on tide and submerged lands located in San Diego Bay, San Diego County, using low-energy geophysical equipment. CEQA Consideration: categorical exemption. (W 6005.183, RA# 05517) (A 78, 80; S: 39, 40) (Staff: R. B. Greenwood)

C68 SCRIPPS INSTITUTION OF OCEANOGRAPHY (APPLICANT): Consider an application for a Non-Exclusive Geological Survey Permit on tide and submerged lands located offshore California. CEQA Consideration: categorical exemption. (W 6005.184; RA# 06017) (A & S: Statewide) (Staff: R. B. Greenwood)

C69 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider approval of qualifying miles for subventions for Fiscal Year 2017-2018 to the counties of Ventura and Santa Barbara; to the city of Carpinteria located in Santa Barbara county; to the cities of Huntington Beach and Seal Beach, located in Orange county; and to the city of Long Beach, located in Los Angeles county. CEQA Consideration: not a project (W 4848.1, W 4848.3, W 4848.4, W 4848.5, W 4848.6, W 4848.8) (A 37, 53, 68, 70, 72, 74; S 19, 24, 33, 34, 37) (Staff: N. Heda, C. Connor)

C70 ROBERT G. WETZEL (PERMITTEE): Consider application for an extension of a mineral prospecting permit for minerals other than oil, gas, or geothermal resources, sand and gravel on Assessor’s Parcel No. 0570-051-24, administered by the Commission, containing approximately 633 acres of State fee-owned school land, located within Section 16, T15N, R10E, SBM, about 3 miles
northwest of Interstate 15, Halloran Springs Exit, San Bernardino County. CEQA Consideration: Environmental Assessment/Finding of No Significant Impact adopted by the Bureau of Land Management. (PRC 9305.2; RA# 05617) (A 33; S 16) (Staff: V. Perez)

MARINE ENVIRONMENTAL PROTECTION – NO ITEMS

ADMINISTRATION – NO ITEMS

LEGAL

C71 CALIFORNIA STATE LANDS COMMISSION (PARTY):
Consider the future disposition of State oil and gas leases PRC 1466.1, PRC 410.1, and PRC 145.1 held by Rincon Island Limited Partnership and the suitability of proposals submitted on behalf of the bankruptcy estate of Rincon Island Limited Partnership for alternate operators to assume control of those leases. CEQA Consideration: not a project. (PRC 1466.1, PRC 145.1, PRC 410.1) (A 37; S 19) (Staff: S. Blackmon, J. Fabel)

KAPILOFF LAND BANK TRUST ACQUISITIONS – NO ITEMS

EXTERNAL AFFAIRS

GRANTED LANDS

C72 SAN DIEGO UNIFIED PORT DISTRICT (GRANTEE):
Consider approval of a proposed expenditure of public trust funds by the San Diego Unified Port District to acquire a 4-acre parcel located adjacent to existing public trust land in the City of Chula Vista, San Diego County. CEQA Consideration: Environmental Impact Report, certified by the San Diego Unified Port District, State Clearinghouse No. 2005081077. (G 10-08) (A 80; S 40) (Staff: R. Boggiano)
C73 CALIFORNIA STATE LANDS COMMISSION (PARTY) AND THE CITY OF RICHMOND (GRANTEE): Consider a record of survey depicting the location and extent of filled tidelands as they existed around February 22, 1980 within Terminal One in the City of Richmond, Contra Costa County. CEQA Consideration: not a project. (G 02-04) (A 15; S 9) (Staff: R. Boggiano, D. Frink)

C74 CITY OF LONG BEACH (GRANTEE): Review the expenditure of tideland oil revenues, in an amount not to exceed $7,264,285 by the City of Long Beach for capital improvement projects within legislatively granted sovereign land in the city of Long Beach, Los Angeles County. CEQA Consideration: not a project. (G 05-03.10) (A 70; S 33) (Staff: M. Moser)

C75 CITY OF REDONDO BEACH (GRANTEE): Consider authorizing an expenditure of tideland funds in the amount of $1,309,000 by the City of Redondo Beach for the emergency repairs of the Redondo Beach pier deck located within legislatively granted sovereign land in the City of Redondo Beach, Los Angeles County. CEQA Consideration: not a project. (G 05-07.13) (A 66; S 26) (Staff: M. Moser)

VI INFORMATIONAL – SEE REGULAR

VII REGULAR CALENDAR 76-88

76 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider an update on the Commission’s land and resource management activities involving the San Joaquin River, including its participation on the San Joaquin River Conservancy Governing Board and the proposed San Joaquin River Conservancy River West Fresno, Eaton Trail Extension Project, City of Fresno, Fresno County. CEQA Consideration: not a project. (W 27140) (A 23; S 8) (Staff: R. Collins, J. Ramos, J. Lucchesi)
SAN FRANCISCO PORT COMMISSION, CALIFORNIA STATE LANDS COMMISSION (PARTIES): Consider approval of a Compromise Title Settlement and Land Exchange Agreement, pursuant to Chapter 477, Statutes of 2011, between the State of California, acting by and through the State Lands Commission, and the City and County of San Francisco, acting by and through the San Francisco Port Commission involving certain land located in and adjacent to the San Francisco Bay at Pier 70, City and County of San Francisco. CEQA Consideration: Environmental Impact Report certified by the San Francisco Planning Commission, State Clearinghouse No. 2015052024, and statutory exemption. (G 11-01; RA# 17125) (A 17; S 11) (Staff: R. Boggiano, S. Scheiber) 44

CALIFORNIA STATE LANDS COMMISSION: Consider Adoption of the Legal Guide to the Public’s Rights to Access and Use California’s Navigable Waters and Brochure on the Public’s Rights to Access and Use California’s Navigable Waters. CEQA Consideration: not a project. (A & S: Statewide) (Staff: P. Huber, C. Fossum) 51

CALIFORNIA STATE LANDS COMMISSION: Consider sponsoring state legislation in the second half of the 2017-18 legislative session to grant and convey in trust to the San Diego Unified Port District land in the City of Chula Vista pursuant to a land exchange agreement the Commission approved in December 2010. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton) 32

CALIFORNIA STATE LANDS COMMISSION: Consider sponsoring state legislation in the second half of the 2017-18 legislative session to repeal the Metropolitan Water District of Southern California’s statutory trust grant. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton) 33
81 CALIFORNIA STATE LANDS COMMISSION: Consider sponsoring state legislation in the second half of the 2017-18 legislative session to amend Public Resources Code section 6307 to allow the Commission to provide, as part of an exchange agreement involving granted lands, that the lands or interests in lands that are acquired and impressed with the protections of the common law Public Trust Doctrine be conveyed in trust to the grantee and deemed part of the statutory trust grant. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton) 36

82 CALIFORNIA STATE LANDS COMMISSION: Consider sponsoring state legislation in the second half of the 2017-18 legislative session to amend Public Resources Code section 6217.8 to remove the $300 million cap in the oil trust fund so that the abandonment fund for the Long Beach oil operations is more likely to be sufficient to cover the State's abandonment liability. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton) 37

83 CALIFORNIA STATE LANDS COMMISSION: Consider sponsoring state legislation in the second half of the 2017-18 legislative session to amend Public Resources Code sections 6216.1, 6107, 6201, 6477, 6914, 7730, 8618, 8622, and 71200 through 71271. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton) 40

<table>
<thead>
<tr>
<th>Index Continued</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>85 OCEAN PROTECTION COUNCIL (INFORMATIONAL): Presentation by the Ocean Protection Council staff on updating the State of California’s Sea Level Rise Guidance Document. CEQA Consideration: not applicable. (A &amp; S: Statewide) (Staff: J. Mattox, M. Farnum, J. Lucchesi)</td>
<td>83</td>
</tr>
<tr>
<td>86 PACIFIC GAS AND ELECTRIC COMPANY (INFORMATIONAL): Status update on PG&amp;E’s Diablo Canyon Power Plant Joint Proposal application pending before the California Public Utilities Commission, near Avila Beach, San Luis Obispo County. CEQA Consideration: not applicable. (PRC 4307.1, PRC 4449.1) (A 17; S 35) (Staff: P. Huber, J. Lucchesi)</td>
<td>107</td>
</tr>
<tr>
<td>87 CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Informational report on efforts to update the Commission’s environmental justice policy. CEQA Consideration: not applicable. (A &amp; S: Statewide) (Staff: S. Pemberton)</td>
<td>101</td>
</tr>
<tr>
<td>88 CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Informational update on the pollution issues within the Tijuana River Watershed. CEQA Consideration: not applicable. (A 78; S 40) (Staff: M. Farnum, J. Mattox, S. Pemberton)</td>
<td>120</td>
</tr>
</tbody>
</table>

VIII PUBLIC COMMENT 137
IX COMMISSIONERS’ COMMENTS 145
Adjournment 146
Reporter's Certificate 147
PROCEEDINGS

CHAIRPERSON NEWSOM: All right. Everybody out is there ready?

Good. We'll call this meeting of the State Lands Commission to order. All the representatives of the Commission are here present. And those of you that are here for the first time, one or two of you at home that might be watching with nothing else going on, or passionately attentive to this Commission meeting, the benefit of those out there, the State Lands Commission manages State properties in over five million acres of land including mineral interests. The Commission has the responsibility for the preventive of oil spills at marine oil terminals and offshore oil platforms, and for preventing the introduction marine invasive species into the California marine waters.

Today we're going to hear requests and presentations involving the lands and resources within the Commission's jurisdiction. We are also honored to be here in Fresno. And I'm grateful for those of you that are here that have had not the opportunity to be at a State Lands Commission before because without exception, over the course of decades, we've never been out here. And that wrong is being righted today. And hopefully, a new pattern will be established moving forward.
There tends to be a perception, and in some cases when you look at the agenda, some reality to bear the perception out that we overly indulge in terms of our coastal outreach. With the exception of obviously the meetings we have in Sacramento, there is a gap in terms of our outreach to other parts of the State. And so we, a number of months ago as a commission, all decided that it was right to move out of our comfort zone, to get out of Sacramento in particular, but also move off the coast and to reach out to other parts of the State. And so this is an effort to do just that. And I'm grateful everybody that helped organize the event for the facilities that have been afforded, all of us.

And for the opportunity also to agendize a few items that have a little more relevancy and local competency as it relates to issues that a number of you in the community may care disproportionately about. But this is your State Lands Commission. It is your State. The issues that come in front of us should matter, regardless of where their immediate impacts are felt most, as we all share, as the Bible says. Forgive me for bringing religion into this. We are many parts but one body. And that was what Father Kauz at least taught me at Santa Clara.

(Laughter.)
CHAIRPERSON NEWSOM: So I will share his wisdom and we lost him a few years ago. And I imagine he would have wanted me to say that when he was alive, and I've regretted it, so now I've added it.

And so that's -- that's a bit of an overview. And I want to just in respecting people's times, let folks know we'll take a number of items off the top on the consent calendar first. We'll go into one item in particular that we're pulling from the consent calendar. We'll listen to the Executive Officer and her Director's report. And then the burden on all of you. I'll ask for your indulgence. We have to go into closed session to talk about pending litigation that is relevant to the rest of the calendar. And that's why I will ask you, if we could, just get a little bit of your time and we'll ask you back in the room and we'll quickly get to the rest of the agenda.

So it's in that spirit that we'll ask Ms. Lucchesi for her Executive Officer's report after I ask for the adoption of the minutes of the meeting on October 19th. And there may be a motion but it may be an amended motion.

Try it and see what happens.

COMMISSIONER YEE: There we go. There we go.

Great. Thank you.
Thank you, Mr. Chairman. We do have the minutes of October 19th before us, and it's my understanding that with respect to our action relating to the Huntington Beach desalination plant that there might be some ambiguity with respect to the motion that was made. And so what I'd like to do is to give staff some time to review the Commission meeting transcript, and also just confer with any of us, if necessary, and defer approval until the February meeting.

CHAIRPERSON NEWSOM: Does that work for you?

ACTING COMMISSIONER ORTEGA: Fine.

CHAIRPERSON NEWSOM: And that works, Jennifer?

You -- you're good with that --

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON NEWSOM: -- and I appreciate that. And that's -- it's a good pick up that we're actually paying attention to the minutes. And so I'm grateful for that request. And we'll defer that till the next meeting.

COMMISSIONER YEE: Thank you.

CHAIRPERSON NEWSOM: So the next order of business is the Executive Officer's report.

EXECUTIVE OFFICER LUCCHESI: All right. Yes, thank you. A couple of programmatic items that I want to update the Commission on, and then get into some personnel acknowledgments to end my Executive Officer's report.
First, I want to talk about a recent enforcement effort within our Marine Invasive Species Program. On July 18th of this year the merchant vessel Ionic discharged ballast water from 12 ballast tanks in California's waters offshore Pittsburg in the violation of the Marine Invasive Species Act. The 12 discharges resulted in 10 moderate violations and two minor violations pursuant to the Commission's enforcement regulations, amounting to a maximum penalty of -- potential penalty of $110,000.

The vessel's owner and the Executive Officer, myself, agreed to settle the liability resulting from the violations for $75,000, which Commission staff has deposited into the Marine Invasive Species Control Find. This amount will help fund further efforts to protect California's waters from marine invasive species and deter future violations of the Act.

And so this was one of the first enforcement actions that we have taken under our new regulations, and it served well in terms of our communication with the vessel's owner and also has facilitated increased communication with other vessels and their agents.

So we're hoping that this -- these -- this new regulatory authority will help keep California waters protected.
CHAIRPERSON NEWSOM: And just -- and forgive me, because of the novel nature of this -- this 75,000 was based -- is it not on any scale that was set forth or was more of a negotiated assessment?

EXECUTIVE OFFICER LUCCHESI: The regulations that the Commission adopted and then delegated to the executive officer to implement has a very specific matrix on how you identify the extent of the violation, minor/moderate, or more extensive. And then the amounts that are associated with that.

And then also the number of violations. So it's very prescriptive. It provides some detailed framework, which allowed the Commission to delegate that authority to me, but also gives enough discretion to be able to negotiate something, an amount, that both meets the purposes of the Act, and protecting California waters without putting a company out of business.

CHAIRPERSON NEWSOM: And the 75, just -- and forgive me -- it represents the lower end of that scale or the moderate?

EXECUTIVE OFFICER LUCCHESI: It -- no, more in the median to higher end of that --

CHAIRPERSON NEWSOM: Okay. Thank you.

EXECUTIVE OFFICER LUCCHESI: -- because of the extent of the violations.
CHAIRPERSON NEWSOM: Thank you.

EXECUTIVE OFFICER LUCCHESI: For a moderate violation. Thank you.

Next, I just want to update the Commission on our partnership with the Port of San Diego and our efforts under the San Diego Ocean Planning Pilot Partnership. If San Diego Ocean Planning Partnership continues to move through its first phase of stakeholder engagement and data collection. And we're starting to prepare for phase 2. Staff in San Diego and Sacramento are meeting with individual stakeholders and groups, planning public community meetings for the beginning of 2018 and drafting the summary assessment report of all that we've learned from our outreach with the various stakeholders involved.

Our staff is also currently exploring potential technical and expert review panel options. We expect to complete our phase 1 summary assessment in spring of 2018, and from there move into phase 2, which includes a conflict and opportunity analysis, drafting of initial recommendations, and the development of a spatial viewer tool.

Next week, our staff will attend the West Coast Planning Body meeting in Long Beach, along with State representatives from Washington and Oregon, as well as ocean planners from the east coast and the Gulf states.
We'll participate in sessions on subregional planning, data and regional ocean assessments, funding and stakeholder engagement, and tribal issues. We will -- our staff will also visit the Southern California Coastal Water Research Project, or SCCWRP, along with our port partners next Friday as guest speakers to discuss our ocean planning partnership and enhanced networking opportunities with those scientists.

And we will continue, as directed by the Commission, to provide routine updates to the Commission on this project through all the phases over the next couple of years.

So that concludes my remarks about our substantive -- programmatic updates.

I do want to get into a couple of personnel acknowledgments. First, regrettably we are saying goodbye to our Sea Grant Fellow Jaimie Huyhn. She came to us from the Scripps Institute of Oceanography and had experience working on water quality and environmental planning as staff for the City of San Diego's Transportation and Stormwater Division.

We knew Jaimie would be a great help on our ocean planning project, sea level rise policy implementation, and offshore renewable energy, and she has been exceptional on all those fronts. What we discovered
though in getting to know her, and getting to know the quality of work and her personality, is that she has also brought other tremendous talents and skills to our work, including her photography, her graphic art skills, and her ability to connect with people.

When we asked if she could help us with our environmental justice update, she dove into the project full force, and has really proven to be such a natural at that outreach and assessment effort. We -- we're going to miss her tremendously in that role, her enthusiasm, her energy and creativity. And we're just very proud and grateful for her contribution to the Commission. And we will, of course, keep tabs on her as she moves on to her next adventure.

Unfortunately, she's not with us today, but I did want to acknowledge her, because she won't be with us at our February meeting. And it's one of those things -- I know the Lieutenant Governor's office has been very fortunate to have -- participate in the Sea Grant Fellow program. And the Controller's Office is about to experience that next year. And it's a -- it's a -- it's a double-edged sword, because they -- they come to you for a year, and they jump in just full force, and they are -- they become very valuable and they contribute tremendously right away from the very beginning, and then...
you have to say goodbye.

And it's both personally and emotionally hard to say goodbye to somebody that you've worked with so closely, but they've also made such an impact and contribution over the year that your whole institution, your whole agency are going to miss the value added from them.

So this is always a hard time for us to have to say goodbye, but we also look forward to meeting and working with our new Sea Grant Fellow coming -- coming on next year. So I want to acknowledge Jaimie for her work at the Commission on that.

CHAIRPERSON NEWSOM: Hear, hear.

EXECUTIVE OFFICER LUCCHESI: Next, I wanted to -- I want to talk about two significant retirements at our Commission. It is with great pleasure, but also with great sadness to acknowledge the retirements of two iconic members of our Commission staff. Between the two of them, they have almost 75 years of service to the people of California. Saying goodbye to them is truly an end of an era at the Commission.

First -- and they're with us fortunately today. First is Jeff Planck. And Jeff is, of course, hiding behind the pillar over there.

(Laughter.)
EXECUTIVE OFFICER LUCCHESI: As he usually likes to be behind the scenes, but not today. Jeff Planck has given the people of California over 33 years of dedicated and distinguished public service. He has worked -- his career started in the industry -- the petroleum industry working in the fields of California, Montana, Texas, the Gulf of Mexico, and the north sea. He entered service with this Commission's Mineral Management -- Resources Management Division in October of 1984.

He later -- this is a fun fact about Jeff. He later received his JD, his Juris Doctorate, and joined the California State bar as an attorney in 1992. So he's an engineer, and an attorney. Jeff, since 1984, has provided expert technical advice and managerial direction initially as an Associate Mineral Resources Engineer, and since 1988, as a Senior Mineral Resources Engineer. And later he rose through the ranks to be manager. And then since 2013, he's been our Assistant Chief of our Mineral Resources Management Division.

He is a great leader. He has consciously guided the Commission's Resources Management Division with his dedication and leadership. His industry, legal, and engineering training and experience has been instrumental in serving as a project manager for all of the major offshore oil and gas projects since 1988, beginning with
Project Clear View, the seafloor well abandonment, and the clean up of the oil field debris in Santa Barbara Channel, and efforts undertaken toward the abandonment of all major oil and gas operations in State waters within the Santa Barbara Channel.

I think most recently, and where I have gotten the work with Jeff so closely, is on our recent efforts to decommission plug and abandoned -- excuse me, plug and abandonment done the Summerland Oil Well, the quitclaim of the Platform Holly leases, and the responsibility that the Commission has taken on to clean -- to plug and abandon those wells and decommission those facilities. He has been our lead on that project.

And then what we'll talk about in a little bit is the Rincon Island facility and the shut down of that -- those operations, and the ultimate plugging and abandonment. We -- he took the responsibility as lead in that -- this those efforts without a second thought, and we have all benefited from that. We've talked about, I think, a number -- on a number of occasions about how incredibly complex and challenging those efforts have been, because it's something the Commission has never really been involved in at this level with this type of complexity before.

But so far, it's -- it's gone as smoothly as we
could have hoped. That's what -- that's what the public is seeing, that's what the Commission is seeing. There is a tremendous amount of work that goes on behind the scenes that he is in the middle of making sure that everything is moving in the right direction.

Because of his dedication and integrity, he has succeeded in compiling an incredibly successful record of achievements and earning the admiration of not only all of us, his colleagues, but those representing industry, and the community organization. I just want to wish Jeff and his family sincere best wishes for a rewarding and gratifying retirement. And I think we all wish him and his family the very best this years to come.

And we do have a resolution for him up there. And I would love for him to be able to come up and take a picture with the Commission he has served for the last 33 years.

CHAIRPERSON NEWSOM: Hear, hear.

EXECUTIVE OFFICER LUCCHESI: So, yes.

(Applause.)

CHAIRPERSON NEWSOM: All right. The one day I don't wear a tie.

(Laughter.)

CHAIRPERSON NEWSOM: Thank you, sir. Actually retiring or what are you doing?
(Laughter.)

CHAIRPERSON NEWSOM: All right.

EXECUTIVE OFFICER LUCCHESI: I will say that the Commission is obviously a wonderful place to work. And a lot of times we find those that have dedicated their -- pretty much their entire career to serving the people of California and this Commission, they just -- they just find themselves coming back so easily, which we accept graciously.

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: So the next -- our next legacy that I want to acknowledge is Jean Gunther. For over 40 years -- and Jean, where are you? For over 40 years, she has dedicated her career to public service to the people of California. She began her career with the State in July of 1975 as a graphic artist, with the Office of Emergency Services. She then moved to State Parks and then landed at State -- the State Lands Commission in May of 1977, as a graphic artist for us.

Jean has utilized her artistic talents to assist various State and local agencies, such as the Bureau of Automotive Repair, the Delta Protection Council, Wildlife Conservation Board, Riparian Habitat Joint Venture, the Sacramento River Greenway, the Ocean Protection Council,
all with logo, branding and design.

She is one of our key ambassadors for interagency relationships because of her graphic art -- her graphics work on behalf of the Natural Resources Agency, the Water Resources Control Board, the Native American Heritage Commission, and the Department of Fish and Wildlife.

She has been fundamental in creating the visual presentations for conferences, such as the California and the World Conference, Western States Land Commissioners Association, and the Maritime Leadership Symposium. She has also been the key -- the key staff member in the development of the Commission's State Capitol upper rotunda exhibits, which notably include the Brother Jonathan exhibit in 1999, the Surveyor General exhibit in 2009, and the 75th anniversary of the State Lands Commission in 2013.

She has designed almost all of, I would say, the Commission's publications, such as the Delta report, the Sacramento Greenway report, School Lands report, Rivers report, and just a handful of others. She's created all of our displays, brochures, and presentations for the Commission's bi -- Commission's biannual Prevention First conference since its inception.

And she's just widely known both inside an outside our agency as epitomizing the high standard of
customer service and excellence that we strive for on a daily basis. Jean has a very special place this our Commission. She works out of our Sacramento office, and she -- she is the first person that a new staff member really gets to meet and know, because she takes your photo ID picture. And her personality and her warmth, you end up speaking with her on your first day for an hour, as she learns about you and gets to know you. She is really our welcoming -- I think our Assistant Executive Officer nailed it on had the head what he called her our welcoming ambassador to the agency.

I know when I first started at the agency, that's what she was to me, and she does that for everybody. Everybody calls her, you know, Mama Jean, or Auntie Jean. She -- she is a real pillar of our Commission staff family.

We're very excited for her retirement. She has three young grandchildren. Her children and their families all live relatively close to her. Her husband is retired. She has an amazing adventure and life ahead of her and we're very excited for her to experience that. We're just super sad for us.

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: We -- I always have such mixed feelings about these retirements, because
it's -- it's an incredible point -- part -- time in your
life to get to. And there's lots to do in this world
besides work eight hours every day. But -- but for the
people that she is leaving behind, we will greatly miss
what she adds to our life at work every day.

Thank you, Jean, for your unwavering loyalty,
integrity, and excellence in your service. And I
just -- if we could have a round of applause for Jean.

(Applause.)

EXECUTIVE OFFICER LUCCHESI: And I'd also like
for her to come up and take a picture. We have a
resolution for Jean as well.

CHAIRPERSON NEWSOM: Jean, unfortunately, you'll
have to do the photograph as well.

(Laughter.)

(Applause.)

EXECUTIVE OFFICER LUCCHESI: So, like I said, it
really is an end of an era for us. And thank you for your
indulgence for us to be able to acknowledge their work and
their contribution.

I have one more acknowledgement, and that is of
Commissioner Ortega. I want to acknowledge that today is
her going to be her last State Lands Commission meeting.
She was recently appointed Inspector General in the office
of Audits and Investigations at the California Department
of Transportation. Commissioner Ortega has served as Chief Deputy Director of Policy at the California Department of Finance since 2013. And as part of her role there, she has been the Director's alternate on the Commission.

Thank you, Commissioner Ortega, for your extremely valuable work on the Commission. I speak for all of Commission staff when I say that it has been a great honor and pleasure working for and with you.

We appreciate your thoughtful and comprehensive approach to the issues before the Commission, your work to advance the Commission's vision and mission, and your commitment to sound policy and good strong transparent government that the people.

We wish you all the best in your new adventure. It sounds exciting, but we will miss you a lot. Thank you.

(Appause.)

EXECUTIVE OFFICER LUCCHESI: And that concludes my report.

CHAIRPERSON NEWSOM: No one else --

EXECUTIVE OFFICER LUCCHESI: No.

(Laughter.)

CHAIRPERSON NEWSOM: -- leaving us?

My gosh.
COMMISSIONER YEE: Thank you, Mr. Chairman.
First of all, I just have to say of the 70 boards and
commissions on which I have the privilege have serving,
there is none that really parallels this Commission. And
I can see why. I mean, it really is the dedication
of -- to a person on the staff of your team, Jennifer, but
also the dedication to the mission. And it really
permeates throughout the organization, whether you're
in -- whatever capacity you are in the organization. You
know, that mission is just so clear. But I also just
wanted to add my thanks and my congratulations to our
colleague, Commissioner Ortega, who's just been -- I'm not
only going to miss her here, I'm missing on CalSTRS. I'm
missing her on a number of financing authorities.

(Laughter.)

COMMISSIONER YEE: So this is really hard for me.

(Laughter.)

COMMISSIONER YEE: But she has just been a
wonderful solid leader who, as she said, perfectly, it's
always about what's in the best interests of California,
but particularly around accountability and transparency.
So thank you, Eraina.

CHAIRPERSON NEWSOM: Yeah. Well State. And just
briefly just picking up on a little bit of Commissioner
Yee's point, none of what you reflected on was
perfunctory. And I think it goes to the spirit of what
the Commissioner was saying. So well done. That
leadership is at the top as well, so we do admire it. And
thank you, both, for your decades of service and look
forward to figuring out what you're doing next, because I
don't believe it's -- you know, I don't know. There are a
lot of fishing.

This is a Commission that maybe you end up going
fishing, maybe.

(Laughter.)

CHAIRPERSON NEWSOM: So, you know, maybe
I'm -- for give me.

(Laughter.)

CHAIRPERSON NEWSOM: Anyway. Thank you,
Jennifer. And anything else? That's it for the Executive
Officer's report.

So we have next item is the adoption of the
consent calendar, but I know there's maybe an item or two
or more that --

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON NEWSOM: -- that needs to get
pulled. Are there any items, Jennifer, that you want to
pull from the consent?

EXECUTIVE OFFICER LUCCHESI: Yes. There are
several. I would like to pull C 28, C 29, C 30, C 46, C
65, and C 73 from the agenda completely. We will hear those items at a later date.

I would like to remove consent item 71 to the regular agenda, so that we could hear a staff presentation and the Commission's deliberation on that.

CHAIRPERSON NEWSOM: That's great. So with the exception of 28, 29, 30, 46, 65, 73, and the need to move 71 to the regular agenda, is there a motion to adopt the rest of the calendar?

COMMISSIONER YEE: I will so move.

ACTING COMMISSIONER ORTEGA: Second.

CHAIRPERSON NEWSOM: And seconded.

Is there anyone here that wishes to speak on any of those items? 71 again, we'll have an opportunity to speak at the regular agenda. Anyone here to speak to think of the other consent items?

One person, perhaps more.

EXECUTIVE OFFICER LUCCHESI: Give me one second. We're good.

CHAIRPERSON NEWSOM: We're good.

Seeing none. We will close public comment.

And there's a motion and it's been seconded. Without objection, we'll move to adopt the remainder of the calendar.

And that brings us to the next order of business,
which is the regular agenda. And as promised, or at least promoted, we will take up item 71. And then I'll respectfully request that we move to closed session, so that we can get to the rest of regular calendar.

EXECUTIVE OFFICER LUCCHESI: Right.

CHAIRPERSON NEWSOM: So with that in mind, if we could get a presentation on item 71.

EXECUTIVE OFFICER LUCCHESI: Yes. Staff attorney Joe Fabel will be giving staff's presentation to this item to the oil and gas leases associated with Rincon Island in Ventura County.

STAFF ATTORNEY FABEL: Thank you very much. Good afternoon Commissioners, Chair. My name is Joseph Fabel. I'm an attorney here at the State Lands Commission.

Today, I'm presenting Item 71 dealing with the final disposition of leases for Rincon Island Limited Partnership, or RLP. This item is unique, because for the first time in the Commission's history, the Commission is considering the termination of an active producing oil and gas lease on State sovereign land for breach of the lease.

This will result in 1,551 acres being added to the California Coastal Sanctuary, and approximately 2.5 million barrels of oil reserves remaining in the ground unextracted. This adds to the 7,500 acres and 85.1 million barrels of reserves added to the sanctuary as a
result of the Venoco quitclaim earlier this year.

Since 2014, staff worked to ensure that all
reasonable alternatives were explored short of terminating
RLP's leases. However, what has been made clear recently
is that the lease termination is the only remaining option
to secure Rincon Island from the potential risks it poses
to marine environment and to ensure it never again poses
such danger.

The leases, which include Rincon Island, and two
onshore leases, are located near the community of Mussel
Shoals just right off Ventura County.

RLP's operational history was explored and
detailed in information item 77 at the Commission's August
2017 meeting. But in short, significant problems with the
wells were discovered in November 2014. When those issues
went unaddressed, Commission staff delivered a default
notice in April 2016 providing 60 days to cure those
violations or risk lease termination.

On August 8th, 2016, as the Commission prepared
to consider terminating leases, RLP declared bankruptcy.
The material violations remain uncured to this day. Now
this slide is a little busy, but it does represent a
lessee's minimum expectations under a State oil and gas
lease. The defining characteristics of this bottom red
category is a failure to act as a reasonably prudent
operator.

As demonstrated by the Commission's extensive documentation in this area, and history of communications with lessee, RLP's operations have consistently failed to rise above the minimum expectations, and therefore meets the elements necessary to justify termination of the leases.

Now, to briefly visit how we got to her today. In July of this year, a chapter 11 trustee was appointed to oversee RLP's estate in its bankruptcy proceedings. As part of this -- as part of the trustee's far-reaching authority, the trustee has the power to transfer the leases with court approval.

In August, the trustee hired DrilTek, a reputable oil operating company to manage day-to-day operations of the leases. In September, after a marketing campaign run by the trustee, five bids -- sorry five bids, rather, were received from companies seeking to be the new lessee.

In October, staff evaluated a series of proposals from the only bidder the trustee considered qualified, a company named West Energy Offshore.

Now, as explained in exhibit B of the staff report attached to this item, staff did not consent could West Energy becoming the new lessee over Rincon Island. As a result, because no other options existed for
resolving the issues on Rincon Island, at the Commission's direction, staff asked the trustee to voluntarily surrender its lease rights, effectively terminating the leases.

Both the trustee, and UBS AG Bank, RLP's largest secure creditor in the bankruptcy, having cooperated in seeking this end. If the court will consider approval of the quitclaim, actually tomorrow at a hearing at 8:00 a.m. Pacific time, and a quitclaim could follow as soon as tomorrow or very shortly afterwards.

However, as a contingency, staff is recommending that the Commission make the requisite findings justifying termination of the leases in case the court does not approve RLP's voluntary surrender. Either way, once the leases do terminate, staff expects to enter and secure the leases, and commence operations to comply with DOGGR's emergency order 1114, which is still outstanding.

On November 15, Commission staff executed an emergency contract with DrilTek to them out there and operate the leases, and to start assessing the lease facilities.

Within the next 90 days, staff anticipates soliciting bids for a contractor to plug and abandon the 80 or so wells -- leases. The eventual disposition of the island and connecting causeway itself will be considered
by the Commission in the future with full public input and
in a manner fully compliant with the California
Environmental Quality Act.

Finally, I'd like to mention staff's appreciation
for the hard work and close cooperation of the Department
of Conservation and its Division of Oil Gas and Geothermal
Resources. DOGGR's regulatory efforts played a huge role
in letting us secure the leases with finality and
permanence. To Dr. David Bunn, the Director of
Conservation and his team, Jason Marshall, Ken Harris,
James Pearce, who has been a singular force in helping us
out with this effort, and the Division Coastal District
Deputy Pat Abel and Yuan Benum, along with others. Staff
thanks you and looks forward to moving ahead to the good
work that must be done.

And with that, that concludes my presentation.

CHAIRPERSON NEWSOM: You said on the good work
that must be done. We've got -- we've got a bond, a
little less than 10 billion -- million dollars. We've got
that ARCO -- those dollars eight plus million or
something. I mean, give me a scope or a sense, and I
think it's helpful for the public as well, of what the
next steps are? Are those resources nearly enough? What
is that place in terms of burden on this Commission/the
State, and how -- you know, give me a sense of the
timeline as we move forward to do all of the above?

STAFF ATTORNEY FABEL: Well, certainly. I'll give you my best efforts. And obviously moving forward, we'll have more clarity as things develop. But we do hold 19 -- sorry $17.65 million in securities. An estimate performed in June of 2016 estimated plug and abandonment -- and a lot of this work I described earlier as about $50.5 million. So there is a shortfall, and this is a the negative aspect of this is that the public will -- may be on the hook for a lot of these funds here. And that's where Commission staff is working to secure the bond and work with AIG, which is the bondholder to receive those. And we believe we're making good progress on that.

And we are exploring other options in the future, in the form of cost recovery, and also trying to preserve claims against any other prior operator, who may have lie built fee for this. And I can't speak too much of that now, because there is -- there's things in play, so to speak, but we are certainly utilizing every effort in order to minimize the impact to the people of the State of California.

CHAIRPERSON NEWSOM: And just -- and just to flesh out a little bit again, I think it's important for the public to understand, there was an opportunity for folks to submit bids to perform, at the expectation
standards that -- that all of us agree were minimum requirements. And it's your assessment, staff's assessment that none of them met the threshold to actually perform?

STAFF ATTORNEY FABEL: That is absolutely correct. Five bids were received. The only one company that was offered as an alternative for us to consider was that one company West Energy Offshore. From a technical perspective, they had very smart people. They did bring experience to the industry. This -- staff felt, however, that to address the issues on the island, and address them permanently, and that was a huge component to this, we did not feel comfortable and confident that their financial structure was suited to that end.

They might be able to address those issues for the first year or two. But if there was a downturn, if their economic projections for production just didn't turn out, we could have been in this exact same situation two or three years from now.

CHAIRPERSON NEWSOM: Right. Right. And that was unanimously -- you all agreed. There was no dissent amongst you?

EXECUTIVE OFFICER LUCCHESI: No. We have -- we have a team of technical experts led by Jeff Planck and his staff in our -- is that are petroleum engineers.
There are -- are economic and financial expertise if our audit division, they are the folks that are kind of on the ground looking at these facilities. They are inspectors. They know exactly what's the work that needs to be done out there, particularly in close coordination with DOGGR and their experts. So we know what's necessary and what's needed.

And then our team of attorneys and our executive management team looking at just what would need to be accomplished going forward, knowing what the Commission's expectations are, and what the State's expectations were, we felt it just wasn't a risk worth taking. And it was unanimous among our team.

CHAIRPERSON NEWSOM: Yeah. Significant as you suggest, I mean, the idea that two plus million barrels remain in the ground is a -- not an insignificant narrative, fact, but also part of a broader narrative, as you know, from the environmental community. But -- so I appreciate this moment an opportunity for the Commission to act.

With that in mind, is there anyone here that wishes to speak? Anyone from Rincon, out of curiosity, that's here? Anyone that has contradictory point of view, complementary point of view, any point of view?

Seeing none. We then will close public comment.
Are there any questions from the Commission?
Seeing none.

I think this is fairly straightforward under the circumstances, though it will be made more clear as you suggest tomorrow potentially and significantly so. So we look forward to learning about that action.

And I'd look then for a motion.

COMMISSIONER YEE: So moved.

ACTING COMMISSIONER ORTEGA: Second.

CHAIRPERSON NEWSOM: And seconded.

Without objection, move the item forward. Thank you. Thank you all for your good and hard work on this.

So let me -- let me -- as I said, I promoted something, I didn't promise it. And I want to make -- underscore that distinction. There's just -- there's three items that I think are -- lack any real controversy, and I don't have anyone here that has at least filled out a form that wishes to aggressively speak to those items, 79, 81, which I think are related and then 83.

Is it possible just to briefly, because I imagine some of you may be trapped hoping is that we move forward with those items, and I want to let you go, or do you think those require extensive presentations?

EXECUTIVE OFFICER LUCCHESI: No.
CHAIRPERSON NEWSOM: It's pretty straightforward, right?

EXECUTIVE OFFICER LUCCHESI: Right. And just to clarify, the legislative items 79 all the way through 84.

CHAIRPERSON NEWSOM: Yeah.

EXECUTIVE OFFICER LUCCHESI: Okay.

CHAIRPERSON NEWSOM: Fair point. Well, yeah, I was thinking 79, 81, because they seem directly connected --

EXECUTIVE OFFICER LUCCHESI: Oh, okay.

CHAIRPERSON NEWSOM: But I -- only because I have -- yeah, 84, that's quick. I know someone wants to speak on that, just approving a bond. But I want to -- can we -- is that -- with your indulgence, can we do that just so -- yeah, so we can -- I just want to be, again, respectful of everybody that is here and wants to get moving.

So maybe we can quickly go to 79 and, let's -- yeah, let's hit through all the way to 84 and I think these are straightforward.

EXECUTIVE OFFICER LUCCHESI: Sheri is -- can get through those very quickly, so I --

CHAIRPERSON NEWSOM: Fabulous.

EXECUTIVE OFFICER LUCCHESI: Yes, I think it's good suggestion.
CHAIRPERSON NEWSOM: We're going to test you.
Let's do it.

(Laughter.)

CHAIRPERSON NEWSOM: Thank you, Sheri.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Thank you, Mr. Chair and Commissioners. I'll do my best. Item 79 recommends that the Commission sponsor legislation to grant the San Diego Unified Port District land in the City of Chula Vista that the Commission acquired in a land exchange that was completed in 2010. When the Commission approved the land exchange, they contemplated granting this land in the City of Chula Vista to the Port to be part of its grant.

So this proposed legislation that we've been working with the Port on would do just that, the last step in the land exchange process.

CHAIRPERSON NEWSOM: Yeah. Seems very straightforward. Is there anyone that wanted to speak to this item?

Perfect. We'll close public comment.

Is there any questions or...

ACTING COMMISSIONER ORTEGA: I'm going to abstain.

CHAIRPERSON NEWSOM: You're going to abstain.

ACTING COMMISSIONER ORTEGA: I'll abstain from
all of these.

    CHAIRPERSON NEWSOM: All of these items.

    ACTING COMMISSIONER ORTEGA: I will make my point one time. I will abstain from all the legislative items, because just sometimes people get the notion that if I vote yes here --

    CHAIRPERSON NEWSOM: That the Governor is on board.

    ACTING COMMISSIONER ORTEGA: -- that it implies something else somewhere else, so I'll just abstain.

    CHAIRPERSON NEWSOM: No. That's a great point.

    COMMISSIONER YEE: Mr. Chairman, I'll make a motion to have the Commission sponsor this legislation.

    CHAIRPERSON NEWSOM: Good. Without objection, we'll move item 79.

    EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Thank you.

    CHAIRPERSON NEWSOM: Item 80.

    EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Item 80 recommends that the Commission sponsor legislation to repeal a grant made in 1967 to the Southern California Metropolitan Water District to create a nuclear powered desalination or energy plant out in the ocean. The grant was never implemented because the district never built the island to create the plants. And so what we'd
like to do is recommend is that the legislature revoke the
grant, because they're not contemplating building these
types of plants. And we've been talking with the district
and they're doing some research and looking through their
files to be sure that they're comfortable with that
approach as well.

CHAIRPERSON NEWSOM: So the Met, they're on
board-ish?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
PEMBERTON: They are on board-ish. They're just
unfamiliar with the history, so they've been doing some
research into their files to ensure they understand --
CHAIRPERSON NEWSOM: In order to -- yeah, 1967,
half a century ago.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
PEMBERTON: Well -- yeah.

CHAIRPERSON NEWSOM: Yeah.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
PEMBERTON: Yeah.

CHAIRPERSON NEWSOM: And it's to build a nuclear
plant, which I imagine is not top of the agenda for
metropolitan --

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
PEMBERTON: Yes. Yes.

CHAIRPERSON NEWSOM: -- water district.
COMMISSIONER YEE: They were forward thinking back then.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: It's low on the -- it's a nuclear powered energy plant or desalinization plant.

CHAIRPERSON NEWSOM: Or desal.

COMMISSIONER YEE: Desalination plant.

EXECUTIVE OFFICER LUCCHESI: Offshore.

CHAIRPERSON NEWSOM: Off -- yeah --

(Laughter.)

CHAIRPERSON NEWSOM: Offshore nuclear plant.

(Laughter.)

CHAIRPERSON NEWSOM: Good. Well, as long as we're maintaining, yeah, a collaborative engagement, yeah.

EXECUTIVE OFFICER LUCCHESI: I had some of the same concerns about bringing this to the Commission before Metropolitan Water District had formally taken a position on this. But because of the hard work that Sheri and her team have done in outreaching and communication with them over the last many, many months, we are -- I am confident that we are on the same page.

CHAIRPERSON NEWSOM: That's great.

EXECUTIVE OFFICER LUCCHESI: And they are just doing what they should do, their due diligence. And so we'd like to afford them that, but also be ready to jump
in on this as the legislative session approaches us.

CHAIRPERSON NEWSOM: Yeah. So you could bring this back if --

EXECUTIVE OFFICER LUCCHESI: Yeah.

CHAIRPERSON NEWSOM: -- in case. Yeah, I mean, we'll be respectful and responsive.

EXECUTIVE OFFICER LUCCHESI: Correct.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Yes.

CHAIRPERSON NEWSOM: Excellent. Is anyone else here to speak on this item?

Seeing none. We'll close public comment.

Any additional comments, questions?

COMMISSIONER YEE: No. But I'll move that the Commission sponsor this legislation as well.

CHAIRPERSON NEWSOM: Great. So moved and seconded. And we will move that item forward as well, the recommendation or support.

Item number 81.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Thank you. Item 81 recommends that the Commission sponsor legislation in the cases of land exchanges involving a local grantee, like I described this item 79, to allow the Commission rather than the legislature to convey the final Public Trust land into the
local jurisdiction's grant. And there's a number of reasons why we think this is beneficial.

Typically, the following legislation is a number of years later, and mainly ministerial. So we think it's a more effective process to give the Commission the authority to convey that land, which was -- or would be already contemplated in the agreement.

CHAIRPERSON NEWSOM: Hear, hear.
Is there any public comment on this item?
Seeing none. We'll close public comment.
And it seems as straightforward as can be.

COMMISSIONER YEE: Yeah.
CHAIRPERSON NEWSOM: Move?
COMMISSIONER YEE: Move to sponsor.
CHAIRPERSON NEWSOM: Second.
And we will adopt item 81 and move to item 82.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Thank you. Item 82 recommends that the Commission sponsor legislation relating to the oil trust fund in the State Treasury. This fund is for the State's share abandonment liability for the Long Beach oil operations, which include four islands and associated facilities, and a huge number of wells.

The cap currently is 300 million, which was reached several years ago. And the interest on the cap
goes into the general fund. The City of Long Beach Gas and Oil Department commissioned a study that CRC did finding that the actual State abandonment liability is far higher, many, many hundreds of million dollar -- of dollars higher.

So we recommend legislation to change that cap, so we can build back up the fund, so the State's protected when the operations end.

CHAIRPERSON NEWSOM: And are we asking to increase the cap to, I mean, a fixed amount, to assess different kind of transfer as it relates to the interest that's being accrued away from the general fund?

What's the -- what's the more -- what's the legislative thinking?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: The thought, at this point, is to request authorization to work with the city and for our staff to work internally to figure out the best approach to changing the fund.

The unfunded liability is estimated at a round 536 million, and the operations are projected to potentially end in 2036 or 2040. So we're trying to kind of assess what the right approach is with raising the cap.

Previously, there was two million per year that was put into the fund from the State's portion until it
reached that cap. So potentially going back to that same
formula, but we'll work together as a staff to decide what
we recommend the best -- the best approach is.

CHAIRPERSON NEWSOM: All right.

EXECUTIVE OFFICER LUCCHESI: We also anticipate
as we look to identify an author that would be willing to
carry this and then also work with the various committees
and also the Department of Finance, we expect there will
be a lot of discussion around what those parameters for a
new cap may be. The recommendation before you today is
just to remove that cap --

CHAIRPERSON NEWSOM: Got it.

EXECUTIVE OFFICER LUCCHESI: -- know how
legislation makes it's way through the process, and we are
open and we expect to work with all the stakeholders that
have an interest in this through the government process,
but also stakeholders in the public that have an interest
in this.

CHAIRPERSON NEWSOM: It's a big issue. It's
going to be bigger and bigger.

COMMISSIONER YEE: Um-hmm. Yeah.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
PEMBERTON: Yes.

CHAIRPERSON NEWSOM: It's all relevant to the
earlier conversations.
So that's great, at least that's my point of view.

Anyone else have a point of view? Public comment?

Seeing none. We'll close public comment.

Any additional comments, questions?

COMMISSIONER YEE: No, I will move the that the Commission sponsor this, but I do think I would definitely like to have robust discussions around this from all parties. It's clear that we're going to need to come to grips with cost before any of these fields are closed, so we need the flexibility, but then also going forward what this could look like.

CHAIRPERSON NEWSOM: Hear, hear. Without objection, move item 82. We'll move to item 83.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Thank you.

Item 83 recommends that the Commission sponsor code clean-up legislation to amend numerous statutes that govern the Commission's authority. There are very minor changes. For example Fish and Game -- Department of Fish and Game is now Fish and Wildlife. So correcting those references, updating the process that the Commission submits routine reports to make it consistent with current practices, gender neutral language, and other very minor
changes that are identified in exhibit A to the staff report.

CHAIRPERSON NEWSOM: That's great. Anybody here want to speak to this?

No one. We'll close public comment. It's in the hands of the Commission.

COMMISSIONER YEE: Move to sponsor.

CHAIRPERSON NEWSOM: Excellent. Without objection, we'll move item 83. That brings us to item 84.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Thank you.

Item 84 recommends is that the commission support a June 5th ballot measure, which is called the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018. The Act, subject to voter approval, proposes to issue $4 billion in general obligation bonds to finance the program. It's centered around providing more public access to the State's coastal resources and lands inland and all over the State. And most of what it ties to do is align very closely with the Commission's mission and vision. So we recommend that the Commission support that -- that item.

CHAIRPERSON NEWSOM: Is there anyone here that wishes to speak?
If fact, there is. Jennifer.

(Laughter.)

CHAIRPERSON NEWSOM: You're here. Ms. Savage.

MS. SAVAGE: Jennifer savage Surfrider Foundation. Thank you. As a coastal protection and outdoor access organization, Surfrider has been keenly interested in supporting and will continue to sort Senate Bill 5. This bond provides critical investments in areas, including parks, climate resiliency, natural resource protection, and open spaces throughout California.

With actions by the federal government, currently undercutting and eliminating support for natural resources and the environment, California must invest in order to keep our communities moving forward towards sustainability and equity. We need to do more to protect what we have without losing ground. Clearly SB 5 will help. It is much needed and overdue.

It's been 15 years since California has passed a park bond. We've seen our State Parks accumulate over $2 billion in deferred maintenance, and witness the need for local parks being wildly outpaced by population, growth, and demand, particularly in low income communities. A majority of California's children do not live within a 10-minute walk to a park or a green space. And on a person note as someone who raised three children on very
little income, the ability to take them to nearby parks and beaches really made a huge difference.

We might have been financially poor, but California's parks and beaches made us feel rich in other ways.

SB 5 is a critical step forward to address the immense demands in our State. These investments are essential to the health and well-being of every Californian in our economy, and we appreciate the State Lands Commission's action to invest in our water resources and outdoor spaces.

Thank you.

CHAIRPERSON NEWSOM: Grateful. Thank you. Anyone else wish to speak on this item? Seeing none. We'll close public comment. Any questions, comments, Commissioners? Motion?

COMMISSIONER YEE: Move to support.


EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Thank you.

CHAIRPERSON NEWSOM: So we moved through reasonably quickly, and grateful to everybody for indulging us on those items.
Now, I will ask that we go into closed session. We have a number of items that we need to discuss closed session relevant to some of the items that we'll bring back in front of all of you. And so please indulge us. We'll do it as quickly as we possibly can. And we are now going to officially move into closed session.

(Off record at 1:29 p.m.)

(Thereupon the meeting recessed into closed session.)

(Thereupon the meeting reconvened open session.)

(On record: 2:06 p.m.)

CHAIRPERSON NEWSOM: Okay, everybody. We call this meeting back to order. Ms. Lucchesi, anything specifically or generally that we should communicate from the closed session?

EXECUTIVE OFFICER LUCCHESI: No, not at this time.

CHAIRPERSON NEWSOM: So we'll move to the next item. And I -- you know, we're already -- we're bouncing around. What do you say, 77 works?

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON NEWSOM: Let's do it. So let's consider item 77, consider the approval of the title settlement agreement involving land located at Pier 70, at
a place called San Francisco.

EXECUTIVE OFFICER LUCCHESI: All right. Reid Boggiano is our granted lands representative that has been one of the leads along with our staff attorney, Sharon Scheiber, on negotiating this title settlement for many, many, many years.

(Laughter.)

CHAIRPERSON NEWSOM: Fabulous.

PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: Good afternoon, Commissioners.

CHAIRPERSON NEWSOM: Thank you, sir.

PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: The -- do we have a -- I'll wait till the slides.

CHAIRPERSON NEWSOM: A presentation.

PUBLIC LAND MANAGEMENT SPECIALIST BOGGIANO: I'm just waiting for it to pop up. There we go.

The Pier 70 compromise title settlement and land exchange agreement involves lands this San Francisco within the area commonly known as Pier 70. Pier 70 is located in and adjacent to San Francisco Bay at Pier 68 and 70, and covers about 72 acres of uplands, fill tidelands, and adjacent submerged lands.

All the lands at Pier 70 involved in the agreement, including the adjacent submerged lands are held in trust by the City and County of San Francisco acting by
and through the Port. The Port will continue to hold

title to all the lands involved in the exchange after the
title settlement.

The Pier 70 area is vastly underutilized.

Historically, Pier 70 was an active shipyard used for ship
building and repair, steel production, and supporting
heavy industrial use. Most of the site is listed in the
National Register of Historic Places as the Union Iron
Works Historic District, which contains 44 contributing
resources to one of the most important intact maritime
industrial complexes west of the Mississippi River.

The historic buildings located throughout Pier 70
convey a sense of the area's early maritime industrial
history.

Today, the land is still used for ship repair on
about 15 acres of land. However, due to changes in the
maritime needs in the area, most of the land is vacant and
deteriorating or put the uses that are not consistent with
the Public Trust.

Many of the buildings are boarded up and
surrounded by fencing. Public activity is severely
limited and waterfront access at the site has been
effectually non-existent to the general public for
decades.

To facilitate the productive reuse of lands
within Pier 70, legislation was enacted in 2011 by former Assembly Member Ammiano authorizing the Commission to carry out an exchange of lands is that will place or confirm the Trust on lands with substantial value for the Trust, and will terminate any Trust interest in Pier 70 that are no longer useful for Trust purposes.

The extent to which the lands at Pier 70 may be subject to the Trust is uncertain, complex, and subject to dispute. Resolving these title and boundary uncertainties would return extensive land, and title and boundary litigation at a great public expense.

As you can see on the map, the majority of Pier 70 is either not impressed with the Public Trust, which is the kind of pink pale area on the map or the Public Trust status is uncertain, which is the hashed area there at the bottom right.

Potentially, there are areas along the waterfront of high value to the public that could be sold into private ownership and cutoff from public access. Pier 70 also contains interior lands that are not useful for Trust purposes, but are restricted by the Public Trust, and therefore could not be used for non-Trust uses essential to the revitalization of Pier 70.

The proposed land exchange would reconfigure the lands that are or may be subject to the Public Trust. The
Port would continue to hold title to all of the lands involved in the exchange after the title settlement. Through the exchange, the waterfront will be open to the public and reactivated for Public Trust uses. The exchange places the Public Trust, which is green on this map, on all water covered lands and lands along the waterfront. The Trust configuration allows for the site's waterfront lands to become vibrant public parks and enables and incentivizes public access to the waterfront, while preserving an historic and important industrial complex.

The exchange would also free certain lands within Pier 70 of the Public Trust, so that the lands can be developed for non-Trust purposes, which will generate needed Trust revenue for the Port and revitalization of Pier 70. Revenues from the lands that have been freed from the Trust, including any revenue from the future sale of Trust termination lands will continue to be held by the Port as Trust assets.

The legislation authorized the Commission to approve a title settlement and land exchange at Pier 70 subject to certain findings the Commission must make prior to the approval of the exchange. The record of survey and legal descriptions have not yet been reviewed by staff, and will need to be taken to the Commission at a future
Commission meeting.

However, Commission staff and the Attorney General's office have reviewed the proposed agreement and believe all necessary legal requirements have been met. Staff therefore recommends that the Commission approve the agreement and authorize its execution and the execution and recordation of all documents necessary to implement it, subject to the Commission approving the record of survey and legal descriptions at a future Commission meeting.

And that concludes staff's presentation. Staff's available and the Port staff is also available for any questions.

CHAIRPERSON NEWSOM: Excellent.

David, do you want to speak to this from the Port?

MR. BEAUPRE: Thank you, Commissioners. Director -- or, I'm sorry, Chair Newsom, and Director Lucchesi. The Port is very appreciative of the Commission. In particular, we wanted to thank Director Lucchesi, Sharon Scheiber, Sheri Pemberton, Reid Boggiano, Colin Connor and Dan Frink all of whom have been working on this for a long time.

Director Lucchesi and I were speaking this morning just briefly about when we first worked on this
starting in 2002. She's served many positions with the Commission, as a part of this process. It's been a long road. We think we have a great project here. We think there's a massive benefit to the Trust.

By authorizing this, you'll allow a lot of people to appreciate and enjoy the waterfront, the historic nature of Pier 70. And again, it as great benefit to not only the Trust, the city, and the State. And we're really appreciative of the team. Thank you.

CHAIRPERSON NEWSOM: 2002, huh?

(Laughter.)

CHAIRPERSON NEWSOM: I think I've got you by a few years however --

(Laughter.)

CHAIRPERSON NEWSOM: -- as a supervisor. But, yeah, my gosh. Yeah. Anyone else wish to speak on this item?

I mean, I literally have no questions, because I've lived this pier for decades, but maybe others do.

Grateful. Thanks, everyone for the hard work. And I know we'll be back again, and there's some little issues we need to still tweak and work through to move the ultimate project forward.

But there's a motion to get it?

COMMISSIONER YEE: Move approval.
ACTING COMMISSIONER ORTEGA: Second

CHAIRPERSON NEWSOM: Seconded.
Without objection, we'll move item 77.
That moves us to item 78, the public access guide
and...

CHAIRPERSON NEWSOM: Staff attorney Patrick Huber
will be giving staff's presentation on this.

CHAIRPERSON NEWSOM: Excellent Patrick.

STAFF ATTORNEY PATRICK HUBER: Good afternoon,
Commissioners. I'm Patrick Huber from your Legal
Division. I'm going to talk to you about staff report 78,
which regards two items. First, the legal guide to the
public's rights to access and use California's navigable
waters, which I'll call the guide for short. And the
second item is the brochure on the public's rights to
access and use California's navigable waters, which I'll
call the brochure for short.

I'll start with the guide. In 2013, the
Commission directed staff to develop an education a
guideline for the public to use in understanding its
rights to access an use navigable waters. At that time,
staff started researching the Constitution, statutory
divisions, case law, and formulated a large document to
summarize and inform the public about its rights to access
and use navigable waters.
Some of the points of discussion in the guide include the Public Trust Doctrine, sovereign lands, the Public Trust easement, the public right to navigation, restrictions on what the public can do in navigable waters, and other agencies rules affecting public access rights.

Staff worked closely with the Office of the Attorney General collaborating and writing the document. We reached out to our other State agencies partners that have a hand in public access, and we also solicited public comment. And we thought we got some great feedback from members of the public.

And one of the comments we received is that the guide, useful and informative, is difficult to read, because it's 50 pages of legally dense language. And quite frankly, it's not the most user friendly document we could prepare.

CHAIRPERSON NEWSOM: Is that just being frank or --

(Laughter.)

STAFF ATTORNEY PATRICK HUBER: Yes, it is.

CHAIRPERSON NEWSOM: -- just understating?

(Laughter.)

STAFF ATTORNEY PATRICK HUBER: So in response to that, we developed a smaller more reader friendly brochure
version of the guide, which seeks to answer two questions, which we think are the questions most people will ask when turning to these types of resources. And those are what -- where am I allowed to access and what am I allowed the do there?

Some of the topics that discusses our sovereign lands, where they're allowed to access, what they're allowed to do, and it also focuses closely on the public right to navigation, while explaining some of the restrictions to both rights.

Also, it identifies several resources for access. The Coastal Commission, the Department of Parks and some local government -- government units offer resources to help inform the public in where it can access navigable waterways. And we direct the public to those resources in the brochure.

So with that said today, as more specifically stated in the staff report, staff is seeking the Commission's adoption of the guide and the brochure, direction to update these materials as needed, and direction to publish and distribute them as appropriate.

CHAIRPERSON NEWSOM: Hear, hear. Jennifer, you want -- you have a thought?

EXECUTIVE OFFICER LUCCHESI: Yeah. I would like to add just a few more points. As Patrick noted, this is
a legally dense document. And it took a lot of effort and collaboration, particularly with the Attorney General's office. And I just want to highlight a couple of names, because it -- actually, this document or this idea started with the AG's office, and they kind of handed it off to us to see it through.

And particularly Assistant Attorney General -- former Assistant Attorney General Jan Stevens worked extremely closely with us on this. Former Attorney General -- Deputy Attorney General Lisa Trankley. And then they had two legal interns working in their office that where this was their project to work with us on this document, and that was Jonathan Crook and Sofie Wenslaw. And it was just -- it was a -- it took us some years to finalize it and put it all together. But between the document -- the guideline document, this is really going to be useful for attorneys, and local district attorney offices or county counsels that are kind of in the trenches trying to deal with these types of issues to our sister State agencies and us that have to -- that are constantly being asked to weigh in on different access issues or call to provide advice.

The brochure is, I think, what we're really excited about, because it's the first step in, I think, a greater effort and outreach to educate the public about
their rights to access our navigable waterways. And brochures are antiquated a bit, but we also think there's something to be said about having something to stick in your pocket. We will make it user mobile friendly. So from our website, it will be easy to refer to. And then we also think there's a lot of other opportunities to expand on this effort specifically identifying access points and working with other stakeholders to just improve upon this.

So I am very excited. This is an action item in our strategic plan and --

CHAIRPERSON NEWSOM: Good.

EXECUTIVE OFFICER LUCCHESI: Yeah.

CHAIRPERSON NEWSOM: And was there something that -- did I conflate this, but some CEQA exemption requirement, in terms of the action?

No, I conflated it.

EXECUTIVE OFFICER LUCCHESI: Yeah.

CHAIRPERSON NEWSOM: Yeah. Thank, God.

EXECUTIVE OFFICER LUCCHESI: Yes.

(Laughter.)

CHAIRPERSON NEWSOM: It made no sense. Yeah, it was like I just thought I was ludicrous --

EXECUTIVE OFFICER LUCCHESI: Right.

CHAIRPERSON NEWSOM: -- applying that notion.
Thank you.

All right. Good. I'm glad I made that up.

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON NEWSOM: So, yeah, well, there's nothing that I can say critical of this until I see it.

(Laughter.)

CHAIRPERSON NEWSOM: But the idea is warn in and long overdue and I'm grateful for the work. Is there anyone here that wishes to speak on this item?

Seeing none. We'll close public comment.

Any additional comments or questions or --

COMMISSIONER YEE: I think the brochure is beautiful. It's really a beautiful brochure.

No. I want to commend the staff. This has been a multi-year effort, and it's just great to be able to get to this place and be able to really point to it. It's a lot of great work.

So with that, I will move adoption of the guide/brochure.

CHAIRPERSON NEWSOM: Without objection. Thanks Patrick.

So you wanted to speak, sir. Sorry. Apologies.

MR. LEÓN: Excuse me. I just want to ask a question that -- the brochure looks wonderful --

CHAIRPERSON NEWSOM: Yes.
MR. LEÓN: And just out of curiosity, is it also in Español?

CHAIRPERSON NEWSOM: Si, it will be.

COMMISSIONER YEE: Yeah. Not yet.

CHAIRPERSON NEWSOM: Soon.

EXECUTIVE OFFICER LUCCHESI: That's great point, and we appreciate that. We will make it --

CHAIRPERSON NEWSOM: Make sure it is.

EXECUTIVE OFFICER LUCCHESI: -- bilingual

CHAIRPERSON NEWSOM: Yeah. Excellent. Great point.

So item is moved, seconded.

Without objection.

And let me apologize to Rey and Zachary and Sharon and whomever else was waiting patiently. Item 76 I skipped. And of all items, I should be ashamed. It's very local item. It should have the first out of the closed session. So let's skip back to 76. And again, thank you all for your patience, particularly those that killed out cards to speak on that item.

Jennifer, do you have a --

EXECUTIVE OFFICER LUCCHESI: Yes, I do have a presentation --

CHAIRPERSON NEWSOM: -- a presentation?

EXECUTIVE OFFICER LUCCHESI: -- on this one.
Item 76, please.

All right. Great. So as Chair Newsom identified, this is the first time that we have been -- held a Commission meeting in the City of Fresno. And it is long overdue. We actually -- while we -- I think we're most identified as having lands and working on land management and environmental issues along the coast. We are equally active and busy on our inland waterways. The last item is an example of that.

We -- we have a lot of work that we're currently involved in and have been in the past dealing with the San Joaquin River, which is a 396 mile river that drain portions of Sierra Nevada mountains and the southern half of California's Central Valley. And it flows through the San Joaquin Valley, and is considered to be one of the most productive agricultural regions in the world before it reaches the San Joaquin Delta, Suisun Bay, and San Francisco Bay, and finally the Pacific Ocean.

So we thought it was important, since we're here today, to talk about the land management activities that the Commission engages in in this area, particularly with the San Joaquin River. And also, talk a little bit about a current project that is pending before the San Joaquin Conservancy Board relating to access to a segment of that San Joaquin River.
So if you'll indulge me just for a little bit.

Following the construction of the Friant Dam in 1944 by the Bureau of Reclamation, the last salmon run in the river occurred in the late 1940s, when sections of the river ran dry, which is also why we're so active, particularly in identifying where State lands historically were before the development of the dam.

With the completion of the dam in 1944, the Madera -- the Madera Canal in 1945 and the Friant Kern Canal in 1951. River water was diverted to supply over 1 million acres of farmland along the eastern portion of the San Joaquin Valley.

This obviously impacted the natural river flows and the native salmon populations upstream from the San Joaquin's confluence with the Merced River.

So one of the activities that we are involved in stems from a 1988 action by a coalition of conservation and fishing groups led by the Natural Resources Defense Council, which sued Reclamation and Friant Water Users Authority to seek to restore water flows to the river and boost the dwindling salmon populations.

That litigation lasted for 18 years with -- and it ended up culminating in a settlement that had two primary goals, a restoration goal and a water management goal. The restoration goal was to restore and maintain
fish populations in good condition. And the water
management goal was to reduce or avoid adverse water
supply impacts to all of the Friant division long-term
contractors that may result from interim flows and
restoration flows provided for in the settlement.

The -- and that essentially provides an umbrella
framework for a lot of the work that our staff conducts as
it relates to the San Joaquin River. The Commission's
jurisdiction, as you are well aware, is that it owns
inland navigable waterways for the benefit of the people
of California for specific uses as waterborne commerce,
navigation, fisheries, access, water-related recreation,
habitat preservation and open space. All uses consistent
with the common law Public Trust Doctrine.

So in terms of the staff's work along the San
Joaquin River, one of our major efforts under the
restoration program and through coordination and
contracting with Reclamation, is to map the restoration
program's coverage areas, which includes 149 million
mile -- excuse me, 149 mile section of the river in
Fresno, Madera, and Merced counties.

We started this work in 2008 and really
Reclamation wanted to leverage our surveyor's expertise
and technical specialization to help identify the location
and the extent of the State's claims in and to the bed of
the river for the restoration program. So we have been
working that for many, many years to help benefit the
restoration program.

We have issued a number of different leases to
the Bureau of Reclamation to implement the restoration
program for a number of different projects. And we expect
many more to come through the Commission for its
consideration.

We also work very closely with the San Joaquin
River Parkway and Conservation Trust, which I think you'll
hear from later today from Ms. Weaver. The Trust was
created in 1988 to establish a continuous greenbelt along
the San Joaquin River Parkway. And we -- the Commission
issues and considers leases to the Trust and its partners
to help fulfill their mission as well, access, habitat
preservation and such. We've issued a handful of leases
for those purposes.

And our -- one of our major partners in this area
is the San Joaquin River Conservancy. As I mentioned, and
as you saw in the staff report, the Commission's Executive
Officer is a voting member of the Conservancy Board. But
even beyond that decision-making capacity, our staffs work
hand in hand on a number of different efforts to both
acquire land in -- in furtherance of the Conservancy's
goals to develop projects and increase access and habitat
preservation for the parkway purposes. And we do that in close coordination with the Conservancy and their staff. Director Melinda Marks is -- has really been a key friend and colleague on efforts to secure access to the river. And we're very thankful for her work over the many years at the Conservancy.

So that brings me to a current project before the Conservancy Board, and ultimately that may come before the Commission, depending on the extent of the project that's adopted for a lease.

This is relatively major project proposal for -- that would increase access by extending a popular trail, called the Eaton Trail, and would increase access and extend trails to an -- by approximately 2.4 miles in this area. This is the area that the project encompasses. The -- this has been a long-term effort that the Conservancy and the local communities, including the City of Fresno have been involved in, I think -- at the Conservancy Board in November I heard some of the Board members saying they've been working on it for 20 years.

So this is a vision that has been in the works for some time now, and there's great momentum to move it forward to finally realize access in the important stretch of the river.

The proposed project is what you see here and
that would entail access in the red highlighted circle on
the screen. It would include a parking lot, and then
multiple trails throughout the project area to enhance and
facilitate access along with a number of other project
elements. There are other alternatives that were analyzed
in the EIR. But at the most recent Conservancy Board
meeting, the Board pretty much narrowed the options down
to three. And that includes Alternative 1, Alternative
5B, and the proposed project, which I'll talk about next.

This is Alternative 1. And it has essentially
two access points. One is the same as the proposed
project, which is on the far end to your right of the
screen. And it also includes an access point -- vehicular
access point at the River View entranceway that would also
include a parking lot down in the riverbed. That is one
of the options that will be before the Conservancy Board
in December.

The other -- there is another alternative under
the umbrella of the Alternative 5. In a number of our
staff comment letters that staff prepared in response to
the EIR document, we express support for both Alternative
1 as well as Alternative 5, a particular route called 5E,
that would provide access on the opposite end of the
project area through an intersection called Palm and Nees.
This was ultimately not an alternative that was selected
by the Board in November.

But for the record, Commission staff does believe that that is an alternative option for access that we should be keeping as an option in the future. It had some challenges because of land acquisition opportunities, and other remediation issues. However, that is still something that we're interested in, because of the increase in access that it does provide for a number of surrounding communities.

And finally, the third option before the Board in December is Alternative 5B. And this is supported by a number of the local members of the community, because it provides access, not through a particular neighborhood, but again towards that farther end of the project area. It would entail significant construction bifurcating an existing park, grading into the bluff, and then a land acquisition for a private parcel down towards the bed of the river that was a former landfill site.

As we have talked about in the staff report, there are pros and cons to many of -- to all three of these alternatives. This isn't an easy choice by the Board, in my opinion. There are policy trade-offs on -- for all alternatives.

I will say that the Commission staff, I have taken the position, both through our little and at the
Board meetings, that Alternative 1, if given those three options, is the best option to pursue at this point, primarily because meaningful, quality public access to the river can be achieved, in my opinion and our staff's opinion, more quickly and with more certainty than Alternative 5B.

I do want to spend a little bit of time on Alternative 5B, because this was not an alternative that was originally analyzed in the EIR, but the City of Fresno to their credit, in trying to address a number of competing concerns by the -- their constituents and their community was trying to identify different options that would meet the goals of the project without some of the concerns that had been raised by the neighborhood impacts, and also trying to address more directly better access.

And so they spent a significant amount of money and resources in a short amount of time to develop Alternative 5B, so that it could be included in the EIR, and part of the decision-making process by the Board.

And I understand the preference for that alternative in a number of ways. I think you can see from this picture that there are a number of disadvantaged communities that would benefit from increased access to the river in this location. Alternative 5B, which is towards the lower end of the picture, would provide access...
to some of those communities. It would -- actually, also
provide closer access to the actual river, if you were
carrying your kayak.

But the uncertainty associated with the need to
acquire a former landfill site in order to implement that
project in a timely manner and with certainty is what
gives me pause about that particular alternative. And I
know that there are efforts underway from a nonprofit to
secure property rights to help implement that alternative.
However, I have not actually seen those documents and kind
of reserve my opinion about how that would actually be
implemented. And my concerns still remain.

This is an area of the river that has been in
need of meaningful quality access for the city and the
region of Fresno and Madera counties, and for the State as
a whole. And while none of the options are perfectly
perfect, I do think that Alternative 1 is the best
alternative to getting to that access with the most
certainty and in the quickest amount of time for the
residents of Fresno.

That's my thought process. That's been staff's
thought process this.

CHAIRPERSON NEWSOM: Excellent. So thank you for
the presentation. With your indulgence, Commissioners,
unless there's immediate questions, I'm very curious
thousand to open it up for public comment, and listen and then we can have a chance to dialogue.

EXECUTIVE OFFICER LUCCHESI: Right.

CHAIRPERSON NEWSOM: That's great. So I have a number of speakers that have filled out forms. If you haven't, please do. And if you refuse that's fine too, and just announce yourself at the right time. But Sharon Weaver I'll ask first. Sharon, if you want to come up and Rey León, and then Zachary Darrah. Thank you.

MS. WEAVER: Good afternoon. My name is Sharon Weaver. I'm the Executive Director of the San Joaquin River Parkway and Conservation Trust. And I just want to thank all of you today for meeting here in Fresno. We're so happy to have you here. And I want to thank your Executive Officer. She has been a real pleasure to work with, and I really appreciate the leadership that she has shown during her time on the Conservancy's board of directors.

And we are absolutely in favor of Alternative 1 and Alternative 5, as you're Executive Officer described them. We -- we agree that those are the --

CHAIRPERSON NEWSOM: Sharon is that 5 -- forgive me 5E or --

MS. WEAVER: Right

CHAIRPERSON NEWSOM: -- more specifically.
MS. WEAVER: It's just the -- the way it's described in the EIR, it is just 5. It doesn't have a letter behind it.

CHAIRPERSON NEWSOM: Okay.

MS. WEAVER: So it's -- we like to call it the real Alternative 5. So Alternative 1 and Alternative 5 --

CHAIRPERSON NEWSOM: So 5B is not the real --

MS. WEAVER: It is the nonexistent alternative is what we call it.

CHAIRPERSON NEWSOM: Now I know where you stand.

(Laughter.)

CHAIRPERSON NEWSOM: Thank you.

MS. WEAVER: Less.

(Laughter.)

MS. WEAVER: So the reason we say that -- I'll expand upon that a little bit -- is that these other two alternatives are using existing roads that go into the river bottom today. So Alternative 1 is on a road called Riverview Drive. It's a road that was built to serve a 1500 home development that was proposed for the Spano River Ranch back in the 1980s. And it was built to serve a large amount of traffic. They were expecting about 16,000 vehicle trips or trip ends per day in that EIR from 1985.
Now, we were successful in protecting this piece of property. It's a huge success. It's one of our earliest successes working with the Conservancy as partners. We're so grateful that we were able to protect this property. And we have this fabulous road that was built to serve a lot of people going into the river bottom. So, to us, it makes sense to use that as an access point.

The Alternative 5 access point is actually a gravel haul road that was used by trucks from Madera County that used to use a culvert bridge that crossed from Madera into Fresno. You can drive out, if -- you can walk down the road today. It's currently gated off. But if you had a big truck, you could drive a fire truck up and down the road. It exists. It's very stable. So with both of these roads in such close proximity to each other, it seems really silly to us to build a new road down the river bluff. It would destroy a park. It would destroy a mature stand of sycamore trees at the base of the bluff. And it would cost the engineer's estimate for that road, for Alternative 5B, is $5 million.

So for all of those reasons, we just think like, come on, let's be rational here and choose Alternative 1, and Alternative 5. And of course Alternative 1 is what the Board is basically looking at for this next meeting.
So again, thank you so much --

CHAIRPERSON NEWSOM: Thank you.

MS. WEAVER: -- for thinking about this. And thank you again to Ms. Lucchesi.

CHAIRPERSON NEWSOM: Grateful. Thank you.

Again, Rey.

MR. LEÓN: Buenos tardes. Good afternoon. My name is Rey León, founder and executive director of the San Joaquin Valley Latino Environmental Advancement and Policy project, for short Valley LEAP. And we work with valley communities to achieve environmental and climate justice.

We are here in strong support of Alternative 1 and 5. I always share the story in regards to when the Latino families go to parks or to green spaces, you know, we don't necessarily go, you know, like on their own. You know, we roll in generations, you know, at least three generations. And what that means is that we bring with us in the family vulnerable individuals, the grandparents, the grand aunts and uncles, the small children.

And we choose Alternative 1 and 5, because those will really create the access necessary, so that our vulnerable members in our families could be able to be there at the river bottom, and enjoy the river, and not chance it walking down a steep hill, right?
And so we've been working this with a number of partners including the San Joaquin River Parkway. And on behalf of many of our Latino residents that we communicate with here in the City of Fresno and other parts, the way we see it is the parkway is a regional park and it should have access to the whole region for the whole region, particularly because in regards to parks and green space, it's pretty limited. I think Fresno ranks very high in terms of the lack of.

And when you start talking about Latino communities or the barrios, it's even worse. And we need to be able to provide that access to the families that, you know, love being outdoors. You know, Latinos love outdoors. I love outdoors, and we've got to provide that access. I mean, there's no way around it. We can't cage a park, right?

And as my colleague Sharon Weaver just mentioned, the -- it's there already. It's cost effective. And it's just about moving forward with it. But thank you very much for your recommendation. And I think that's the right way to go, and once again, welcome to the San Joaquin Valley, welcome to Fresno, and thank you.

CHAIRPERSON NEWSOM: Grateful. Thank you.

Zachary, followed by Melinda Marks.

MR. DARRAH: Good afternoon. My name is Zach
Darrah. And I'm the executive director of the Fresno Interdenominational Refugee Ministries. We work with the refugee community here in Fresno and have so for the last 23 years. We serve predominantly the southeast Asian refugee community, the Ukrainian refugee community, African and Syrian refugee communities as well here in Fresno.

When we first heard about everything that was going on with the -- with the access at the river, of course, this is not a new issue. I'm sure it's not the first time that's -- that it's been brought here to this Commission over the last 15 or so years.

But when we first heard about it, you know, we were very concerned as an organization, because the Southeast Asian community culturally outdoors, fishing and outdoor recreation is a big, big component to cultural and family recreation. And similar to what Rey said about the Latino community, it is the exact same with the generational impact for the Southeast Asian community.

And so when we heard about it, it was a slam dunk for us to say, hey, we've got to get involved this thing, because we want to see access happen.

As we've been part of many of the Conservancy Board meetings, first of all, I just want to thank Ms. Lucchesi, at the Conservancy Board, to bringing discussion
and questions of a level that was necessary in light of other arguments or other conversations or narratives that were being spoken across the Board, specific to this last meeting, when Alternative 5B was really brought to the table as a superior project for access to the river. We strongly disagree with Alternative 5B being the best way to access the river, and we are in full support of Alternative 1.

It just seems to make perfect sense to me to access public lands on a public road that already exists. And to do anything other than that, just seems to be a little bit outside of even common sense. It just seems interesting to me that the Conservancy Board overall, and other communities members would recommend an alternative to access this beautiful property by, you know, eliminating essentially a big portion of a park. That's the only riverside park in all of Fresno.

To destroy sycamore trees that are really no longer on river bottom anymore, to figure out how to go through an 11 acre parcel of landfill and to go down a steep bluff to get access to a property that could be accessed to public road. It just seems like a very common sense type project, and it's unfortunate that we're today having these types of arguments.

And so I just want to thank Ms. Lucchesi, and I
want to thank the Commission for also staying true to your
new strategic plan. And I appreciated that in the report
in looking at, hey, what about as a Commission, what do we
believe about river access and what that looks like? And
I feel like, and we all agree, at least Sharon and Rey and
my colleagues that Alternative 1 fits, not only for the
community, but fits for this Commission.

And I'd also like to point out that this is a
city, this is a regional, and this is a State resource.
People will come from the entire State of California to
visit this property at River West. And it's time to open
it up and to let people do that.

Thank you so much for your time. Thank you, Ms.
Lucchesi. We're behind you and we encourage you at the
next Conservancy Board meeting to continue to raise these
contems, and to hopefully really change the narrative
that 5B is a superior project in order the access these
lands.

Thank you so much.

CHAIRPERSON NEWSOM: Thank you. Ms. Marks
followed by Brad Castillo.

MS. MARKS: Good afternoon, Commissioners and
welcome to Fresno. I'm Melinda Marks with the San Joaquin
River Conservancy. And our office is located in Fresno.

I'm pleased to see you here and to see you
interested in the local projects and programs specifically the San Joaquin River Conservancy's programs. The Conservancy is one of several State conservancies. We're governed by a State and local board, and among which the State Lands Commission has had a very active voice over my entire tenure with the Conservancy.

The Conservancy is to develop a connected, contiguous parkway from Friant Dam to Highway 99. So this particular project that's being discussed today is but a segment of an overall master plan.

There's a great deal of synergy created by the overlap with the Conservancy's mission and the Commission's mission. And we're able to accomplish much more working together than either one of us would have been able to accomplish on our own. Particularly, Jennifer mentioned things like land acquisitions, where we've been able to acquire the upland property and make sure that the river frontage property was quitclaimed to the State as well at no cost to the State.

So we very much appreciate the Commission's support and partnership and active contributions to the program.

Your staff summarized very well 1400 some pages of documents that are in the EIR. So it's a nutshell, but it gave you a glimpse of the trade-offs, the controversy,
the complexity that's created by having all these
different alternative ways to look at this project.

The project is part of this long-term master
plan. So whatever we can accomplish during this
particular project approval, under this EIR, we still have
opportunity for instance on work on Alternative 5, which
is a little -- it's an off-site alternative. We still
have the opportunity to create that connection down the
road when landfill areas have been cleaned up and we can
acquire either land or more -- more vigorous easements,
more easements that give us better rights down in that
area.

So there's -- we can always go get this part done
and go to the next step, and we're still accomplishing
things, and it's through partnerships with all of our
membership agencies. So thank you very much for being
here and welcome, and come back again.

Thanks.

CHAIRPERSON NEWSOM: Thank you. Grateful.

Brad.

MR. CASTILLO: Good afternoon, and thank you for
giving me the opportunity to speak today. I'm a former
Fresno City Council Member. I was elected from 2000 to
2004. And when I was on the city council, I was appointed
as chairman of the Conservancy. So while I was on the
conservancy, we made two very important decisions.

Decision one was to hire Melinda Marks. I was on the Board when we hired you, and I think that was an incredible decision that we made. The other decision we made was to purchase this property is that we are now talking about. So it's been 15 years in the making. I was really disappointed at the city council meeting. It want a city council meeting, but the Conservancy meeting that was held at city hall, because of the resistance to Alternative 1.

I want to point out that Ms. Lucchesi mentioned that there was local members of the community who spoke in favor of Alternative 5B. I want to be very clear. There was very few people from the community who spoke in favor of 5B. It was is residents that opposed Alternative 1 that spoke in favor of 5B, because they don't want us to access the river through their neighborhood. It's plain and simple.

She also mentioned a nonprofit that was formed to purchase the land on 5B to clean it up and then lease it back to the State. It was the same neighbors who formed a nonprofit, basically to buy land to then donate to again keep us out of their neighborhood.

So I was disappointed when I saw the date of this meeting that there was only one alternative, which was
Alternative 5B which was pushed by the neighbors and by
our local government. I want to thank the Conservancy
Board members for having the foresight to see that there
was other alternatives on the table that were not
presented to them, that will be presented at the December
13 meeting.

And I'm here to tell you that Alternative 1 is
the best option for the City of Fresno and for our
residents. Yes, we can always look at all Alternative 5B
down the road, but I think that should be something that's
down the road. Immediate access will be through
Alternative 1 and Alternative 5, as it was mentioned, the
real alternative.

Another thing that I would like to ask if you are
here and you are present and you are able to make a
decision is to hold the next meeting later in the
afternoon when all members of the community are able to
attend.

This meeting was attended by, I would say, 99
percent Anglo. So there was no diversity at the meeting.
People of my color were not there to speak to talk about
how they felt, the access would affect them. Nobody
really that works 9:00 to 5:00 are able to attend a
meeting like this to voice our opinion. And this is a
project that affects us tremendously.
Like a speaker mentioned earlier, this is going to be statewide. People will come here because of the access to this river. So I think the entire community should be given the opportunity to voice their concerns, their opinions, and their dislike and dislike for either of the alternatives.

So if you could keep that in consideration, I'd appreciate.

Thank you very much.

CHAIRPERSON NEWSOM: Grateful. Thank you.

Is there anyone else? That concludes those at least that have filled out a form.

Seeing none, no one here advocating for 5B. None of the folks that were at that council meeting.

Seeing none, I'll close public comment.

That was very helpful for me, the public comment, and the presentation. And it shows the value of being here, and also suggests those that aren't here may not feel as strongly, or perhaps have conflicts, but curiously no one here to oppose, which is interesting.

But we're here to direct you, Jennifer, correct, as our representative on the Conservancy, to move forward with a preferred alternative which you recommend? Is that, in essence, the action item we're taking?

EXECUTIVE OFFICER LUCCHESI: Right. The action
item -- the staff's recommendation is to acknowledge the
position that staff has been advocating for for the last
year on this project through various means, including on
the Board and to support my participation going forward on
the Board as it relates to this project, both in terms of
supporting Alternative 1, but also supporting achieving
the most meaningful quality access, in the shortest amount
of time, for the greatest number of people for this
particular project, because there's -- there's -- I
do -- I want to just add a little caveat that you -- as
you -- as you all are well aware, the decision making from
the dais can go in interesting directions, especially with
a controversial project.

And I think that Alternative 1, as we've -- I've
been advocating for is the best alternative moving
forward. But I also don't want to be boxed in if there
are other elements that are added to a particular proposal
that would achieve greater access.

CHAIRPERSON NEWSOM: Yes.

EXECUTIVE OFFICER LUCCHESI: So I -- I would
appreciate some dis -- some discretion, but the general
support of Alternative 1 and acknowledging the work that
the staff is doing to achieve access along the San Joaquin
River.

CHAIRPERSON NEWSOM: It's hard to argue with the
way you framed that. Yeah.

I mean, I've -- I have comments. I don't have any additional questions.

Questions or comments?

COMMISSIONER YEE: So thank you, Jennifer, for -- I think exactly the way you framed it is -- are really kind of the parameters and they're certainly consistent with what we've expressed in our strategic plan relative to access. So really appreciate that.

Excuse me.

The Alternative 1 seems to speak to all those elements that you've just articulated. And I'm prepared to make a motion on that. But with regard to your need for perhaps some flexibility, I would just say that I really -- what I appreciate about the people who have come forward is that they've been a part of this process. You've been, you know, very much every step of the way been very vocal about the needs of the community.

And that's the other, I think, hallmark of this Commission is that, you know, we do work collaboratively with the community and really welcome all stakeholder input. And so this has been a long time coming frankly. And I think Alternative 5B, all I'm kind of associate with that is a lot of uncertainty in the future, and also potentially some unknown environmental impacts that may
not be clearly spelled out yet.

So I think for the elements that you've articulated, I would use that as your guidepost in case any other points of discussion come up on the dais for you.

But at this point, Mr. Chairman, I'm prepared to make a motion to support Alternative 1.

**ACTING COMMISSIONER ORTEGA:** I'll second the motion. And I just wanted to make the point the Director of Finance is also on the Conservancy Board as are a number of other State representatives. And so this -- the staff recommendation is consistent with the administration's point of view on this issue more broadly as well. So happy to second the motion.

**CHAIRPERSON NEWSOM:** Great.

No, this -- I -- first of all, thank you all for participating in the conversation. I'm ideological about one thing, and that's access, but not about necessarily how to achieve it. I'm open to argument. And I listened. And in the absence of the alternative argument being presented, and frankly, if, as it was described, those questions remain open-ended in terms of purchasing new land, issues associated with the degradation of trees and questions of the opportunity or degradation related to the opportunity to sort of bisect or bifurcate a park are...
accurate, I don't think this is a difficult decision for this Commission.

And so with that in mind, and with everything stated, I would certainly support my colleagues, and move this item unanimously.

Grateful. Thank you. Thank you all for being here.

With that, since the world is circulinear, and not linear --

(Laughter.)

CHAIRPERSON NEWSOM: -- if that's even a word -- we'll go from 77, 78, to 76 to now what number, Jennifer?

EXECUTIVE OFFICER LUCCHESI: Eighty-five.

CHAIRPERSON NEWSOM: Of course.

(Laughter.)

CHAIRPERSON NEWSOM: Eighty-five.

EXECUTIVE OFFICER LUCCHESI: And it's -- it's with great pleasure to introduce the deputy director of the Ocean Protection Council Jenn Eckerle, who will be giving --

CHAIRPERSON NEWSOM: Oh, yes.

EXECUTIVE OFFICER LUCCHESI: -- the Commission an update on the State's sea level rise guidance document update.
MS. ECKERLE: That was such a nice intro. Thank you. Good afternoon, Chair Newsom, and members of the Commission. I'm Jenn Eckerle. I'm the Deputy Director of the Ocean Protection Council. And as Jennifer just mentioned, I'm here to give an overview of OPC's process to update the State's sea level rise guidance document.

So I'm going to provide a brief summary of why we're conducting this update, a recent synthesis of the updated sea level rise science, our public outreach and the key themes that have emerged from those efforts, and the high level framework that for the draft policy guidance, which is currently out for public review and comment through December 15th.

Do I have a...

All right. So this update was actually triggered, catalyzed by direction from Governor Brown, and was warranted by advances in sea level rise science, particularly our understanding of ice loss from the Greenland and Antarctic ice sheets, and the implications of that loss for California's coastline.

We wanted to make sure that planning decisions were based on the best available science. Additionally, the increased policy focus requiring State and local governments to incorporate climate change this decision
making, including Governor Brown's Executive Order B3015
merited an update to address the needs of both State and
local audiences.

So our process to update the guidance has
included three main steps, a synthesis of the best
available science, stakeholder engagement, and then an
update of the policy guidance itself.

So first, we'll start with the science.

This report which was released in April of this
year, was prepared by a working group of OPC science
advisory team, led by our partner, the Ocean Science
Trust. Chair Newsom, you had a deep dive on this report
at the April meeting, so if there are questions from your
fellow Commissioners, I'm going to defer to you.

CHAIRPERSON NEWSOM: That's right.

(Laughter.)

CHAIRPERSON NEWSOM: I got it back.

MS. ECKERLE: This report synthesized the State
of sea level rise science, including advances in modeling
and the improved understanding of extreme sea level rise
from the polar -- from loss from the polar ice sheets.

It provides updated probabilistic sea level rise
projections at three coastal locations. Probabilistic sea
level rise projections differ from the scenario based
projections in the current guidance, in that they
associate a likelihood of occurrence or a probability with sea level rise heights, and are directly tied to specific emission scenarios.

However, the probabilistic projections may underestimate the likelihood of extreme sea level rise from the loss of the West Antarctic ice sheet, particularly under high emission scenarios. So the scientists included an extreme scenario called the H++ scenario. The probability of this scenario is currently unknown, but its consideration is important, particularly for high stakes long-term decisions.

I just wanted to point out that while the Rising Seas report only included projections for three tide gauges, the guidance itself provides projections for 12 active tide gauges up and down the coast. And I'll show you an example of what that looks like in just a minute.

To ensure that the updated guidance was understandable and useful for State and local decision making our public process -- our update process included extensive public outreach and with interviews, listening sessions, public workshops to solicit input from local, regional, State and federal partners, and tribes.

To improve coordination and consistency in sea level rise planning, OPC also collaborated closely with State coastal management agencies, including members of
your staff, and other member agencies of the State's Coastal and Ocean Working Group of the Climate Action Team.

There were several key themes that came out of our outreach efforts. Users wanted guidance on which projections to use under what circumstances and what mapping tools to use to visualize impacts. They wanted the guidance to continue to serve as a high level framework for the State while allowing flexibility in local decision making.

They wanted the guidance to be drafted in such a way to avoid users defaulting to the lowest projection. They wanted the guidance to be clear about when the new projections go into effect, and what happens to planning or development efforts is that are already underway when the guidance is adopted.

They wanted clarity on how to move from planning to action and when, how, and what frequency the guidance would be updated. And finally, we heard quite frequently the need for a central clearinghouse of resources, including funding, case studies, and other resources to help with planning and adaptation. And I'll talk about that in just a minute.

So the guidance document itself has three components. The first is the updated science, which I
just talked about. The second is specific guidance on how to actually select sea level rise projections. And the third is recommendations for planning and adaptation.

So because I just talked about the science, I'd like to highlight the other two components of the guidance. The draft guidance includes a step-wise process for helping select sea level rise projections along with a risk analysis and decision framework. So I'm just going to walk you briefly through these steps. If anyone wants more detail, I'm happy to provide it. Please feel free to ask.

So step one is just identifying the nearest tide gauge, so you can understand where your projections are in the guidance. Second is to evaluate your project life span. Third is to identify a range of sea level rise projections. Step four is to evaluate project impacts and adaptive capacity around a longer range of sea level rise projections and emission scenarios. And five is to select a particular projection based on your tolerance for risk.

So a little bit abstract, I'm just going to show you the actual table. I know this is kind of hard to read, but this is a slide showing sea level rise projections for the San Francisco tide gauge. And it illustrates sea level rise heights associated with specific time frames, which are on the left-hand side,
along with a low-emissions scenario, which is generally consistent with the Paris agreement, and a high emissions scenario which is basically business as usual.

In this slide, you can see as an example, there is a 50 percent chance sea level rise will meet or exceed 2.5 feet in 2100 under the high emissions scenario. This table also provides the H++ scenario, which is predicted at 10 feet by 2100.

And I just want to point out that the extreme scenario is a single scenario and that does not have a probability like the others. And so it is a little bit difficult to read this slide from where you guys are sitting, but I wanted to point out that these are all of the projections that were provided in the scientific report.

What we wanted to do at OPC was actually help focus decision making, so that you had an understanding of where, in this list of numbers, you should really be looking. So the columns that you see outlined in red provide kind of the bounds for how to analyze your sea level rise risk and projection.

So on the left-hand side, we're calling that a low risk aversion number. That may be a projection that you select if you have a project such as an unpaved coastal trail that has low consequences. You don't mind
if it floods several times a year. You may feel
comfortable with using a lower sea level rise projection
in that scenario.

For projects that are -- you know, have no
adaptive capacity, you're not able to move them, they're
very expensive to relocate or to repair, and you may be
more -- you may want to use the H++ scenario in your
planning and adaptation strategies to be more
precautionary. Even though the probability of that
scenario as happening is yet unknown, if you are not
comfortable with 10 feet of sea level rise, then you
should be thinking about planning for that.

The updated guidance also includes
recommendations on preferred strategies for planning and
adaptation, including prioritizing social equity,
environmental justice, and protection of vulnerable
communities, protecting and preserving coastal habitats
and public access, considering sea level rise caused by
storms and other extreme events, using consistent
projections across multi-agency planning and regulatory
decisions, including adaptive capacity in both design and
planning, and conducting risk assessments and
adaptive -- adaptation planning at a regional level where
possible.

I wanted to point out that the step-wise approach
analyzing impacts under a range of different scenarios, and the recommended -- recommended adaptation strategies in our guidance are generally consistent with can criteria developed by State Lands Commission to guide local trustees of granted public lands in their sea level rise adaptation strategy assessments consistent with Assembly Bill 691.

So just getting back to that need for a centralized location of resources, the -- our policy guidance will be accompanied by a set of resources including case studies, funding opportunities, scientific papers, and guidance documents that will help practitioners integrate sea level rise into their planning, permitting and investment decisions. These resources are going to be hosted on the Office of Planning and Research State Adaptation Clearinghouse, and will include an interactive database and mapping tool tools linked to planning documents and vulnerability assessments.

These are currently being developed by UC Berkeley's Climate Readiness Institute with funding from OPC. I've been talking with State Lands Commission staff and I think there's an opportunity here to leverage the work that you've been doing with your mapping tool and integrate that into the clearinghouse. So when the
guidance is done and actually before that, we can start having those conversations about how to integrate all of those pieces.

So finally, just next steps. As I mentioned, we are in the middle of our 30 day comment period, which will send this December -- on December 15th. We will then take those -- take the time to respond and integrate comments where appropriate, and will bring the final guidance to the Ocean Protection Council at the January 31st meeting. So there will be another opportunity for public comment in the lead up to the Ocean Protection Council meeting.

So I just want to thank you for your time, and the opportunity to be here, and I welcome any questions.

CHAIRPERSON NEWSOM: How active is that, the public comment over the last 30 days?

MS. ECKERLE: We have gotten one so far.

(Laughter.)

CHAIRPERSON NEWSOM: That's interesting.

MS. ECKERLE: I'm expecting them all to come in on December 14th.

CHAIRPERSON NEWSOM: The day before.

Interesting.

MS. ECKERLE: Yeah. And I actually -- I would just provide an additional background. We did give all of our coastal State management agencies partners, along with
our partners at NOAA's Office of Costal Management, the Office of Planning and Research, and our scientists a preliminary review of the guidance document. And we integrated all of their feedback. So we --

CHAIRPERSON NEWSOM: Already been --

MS. ECKERLE: -- we have had kind of a round. Yeah, one round already.

CHAIRPERSON NEWSOM: I appreciate it.

Jennifer, you want to add anything? I know we've all been marching down this path for a while.

EXECUTIVE OFFICER LUCCHESI: Right. I mean, I think the only thing that I will add is that our team dealing with sea level rise and building that into our own staff analyses, and then making sure that's a part of your consideration with all of our leases, and actions that will be impacted by sea level rise and climate change, they have been working extremely closely with OPC staff, as gen mentioned, along with our of our sister State agencies both through this process, but also in other various efforts that we have going on, for example, with the Coastal Commission staff and looking at moving boundaries and the Public Trust, and how we might work more collaboratively together as the boundary line moves landward due to sea level rise.

So all of -- there is a lot of collaboration, a
lot of sharing, brainstorming work that's being done
cross agencies and it's, I think, if I can speak for our
team, both personally and gratifying and exciting, and
then professionally needed --

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: -- in government.

So -- so we're making a lot of progress. And we thank
Jenn and Deborah, the Director of OPC, and all of their
staff for working with us on a lot of comments and
concerns that we've had.

COMMISSIONER YEE: Thank you, Jenn, very much for
the presentation.

MS. ECKERLE: Sure.

COMMISSIONER YEE: Obviously, this -- I like kind
of the whole feeling of the all hands-on deck kind of
effort, so --

MS. ECKERLE: Yeah.

COMMISSIONER YEE: -- which is needed.

I had a couple questions. And I apologize, I
haven't been as steeped in this --

MS. ECKERLE: Yeah.

COMMISSIONER YEE: -- not being on OPC on this
year, but --

CHAIRPERSON NEWSOM: Soon.

COMMISSIONER YEE: And I guess it has to
be -- yeah, soon. Thank you for the reminder.

(Laughter.)

COMMISSIONER YEE: That -- I mean, I appreciate the flexibility of the decision framework, and obviously, the decision about risk tolerance being left up to each individual, you know, entity is great. And I guess my concern is whether this is going to help us kind of just kind of funnel everything towards kind of a common focus, or whether we're going to see kind of a lot of disparate approaches to -- to really getting our arms around sea level rise.

And the thought here is whether it was ever contemplated that we have perhaps a minimum projection that we consider, and then have things that could act as triggers for other considerations. So could you comment on that?

MS. ECKERLE: Yeah. Yeah. I mean, I think that's a really great observation and something that we've been struggling with, right, is how do you provide statewide State high level guidance in a way that's helpful but not so prescriptive that specific local decisions are confined.

And so what we tried to do in that table that actually has the red boxes in it was to say, hey, we don't want you looking at the median.
COMMISSIONER YEE: Right.

MS. ECKERLE: Okay. The median we shouldn't be planning for the median. We need to be pushing towards, you know, the higher end of the likely range as our low end. And then from there, we have -- we've actually taken kind of the higher end, the 1 in 200 chance, as the kind of middle range. And then we've bounded it by that H++ high scenario.

COMMISSIONER YEE: Right.

MS. ECKERLE: So we felt, even though there's a lot of uncertainty around that extreme scenario, we felt it was really important to flag that in the guidance and to say listen this -- there -- the potential for this is coming. You don't need to design -- you may not need to design for it right now, but you may need to be planning for it.

And that gets to your point about triggers --

COMMISSIONER YEE: Um-hmm.

MS. ECKERLE: -- and thinking about if you're not prepared or not willing or not able to plan for 10 feet of sea level rise right now, and maybe that doesn't make sense. We need to be thinking about how you adapt, if and when that 10 feet of sea level rise happens, right?

COMMISSIONER YEE: Right. Right.

MS. ECKERLE: So if you're building a house,
maybe you're okay with your garage flooding 10 times a year. I don't know. So, yeah, and I think there's going to be a lot of work that needs to be done in the follow-up to the adoption of this guidance. And we're planning on doing, you know, another series of workshops and webinars and partnering to think about how do we make sure that across the State we're being precautionary enough --

COMMISSIONER YEE: Right, exactly.

MS. ECKERLE: -- to deal with this, get our hands around this issue.

COMMISSIONER YEE: Uh-huh. Okay. So there's going to be a next level of work once the --

MS. ECKERLE: We have so much work.

(Laughter.)

COMMISSIONER YEE: Yeah. No. No, and I appreciate that --

MS. ECKERLE: Yeah.

COMMISSIONER YEE: -- because obviously jurisdictions have varying views about how far out to look, and, I mean, all kinds of considerations. And so just trying to kind of get it back into a place of where the State truly is providing is providing guidance. And I'm not going to say consistency, because I'm not that's exactly what we're looking for --

MS. ECKERLE: Yeah.
COMMISSIONER YEE: -- but that we're all kind of
moving in the same direction.

MS. ECKERLE: Yeah, it's really challenging when
you have kind of, you know scientific uncertainty and
rapid advances in what we know about sea level rise, and
also differing priorities in local jurisdictions and the
things that they care about, and the things that they have
resources for. And so we're just trying to walk that line
and provide those guardrails, and then the local support.

COMMISSIONER YEE: Right. Right. And not
wanting to mandate a lot on the local's part, but
also -- I mean, I do -- I do see a role for there being
some triggers or maybe an expression of a minimum
protection.

MS. ECKERLE: Yeah, yeah. And we tried to do
that, and maybe we can think about how we can be more --

COMMISSIONER YEE: Okay.

MS. ECKERLE: -- explicit about that.

COMMISSIONER YEE: Okay. Good.

MS. ECKERLE: Yeah, that's helpful.

COMMISSIONER YEE: And then the second piece of
this, obviously, our ports have been doing a lot of work
in this area. And so with respect to these new
projections, how is that being overlaid with the work
that's currently in progress with the ports? Have you --
MS. ECKERLE: Yeah, that's a good question. I was just talking with Maren from your staff yesterday about kind of the progress of those assessment reports required by AB 691.

COMMISSIONER YEE: Right.

MS. ECKERLE: And this idea that certainly there's not an expectation that if you are far down a planning or development path, that when this guidance is adopted, you will then stop and start from scratch, right? So there's some flexibility about how we think we can incorporate or plan for these increased projections, once we've started down a planning pathway. So we -- Maren and I did not figure out the answer to that yesterday --

COMMISSIONER YEE: Uh-huh.

MS. ECKERLE: -- on the call, but we -- we know that it's an issue, and we know that it's something we have to help not only ports, but all of our local jurisdictions and State jurisdictions that are trying to plan for sea level rise and maybe in some portion of a planning or development process.

COMMISSIONER YEE: Okay. Good.

MS. ECKERLE: Yeah.

COMMISSIONER YEE: And then I'm going to just ask for some special consideration of our ports, in the final
guidance, perhaps including some port-specific
acknowledgement. Obviously, they have a special role and
certainly with respect to their water-dependent facilities
that are going to be need to be protected.

MS. ECKERLE: Yeah.

COMMISSIONER YEE: So if we could just highlight
those.

MS. ECKERLE: Yeah.

COMMISSIONER YEE: Yeah.

MS. ECKERLE: Yeah, I'd like to talk off line
about that a little bit.

COMMISSIONER YEE: That would be great. Okay.

Thank you.

MS. ECKERLE: Great. Thank you.

CHAIRPERSON NEWSOM: Excellent. Any additional
comments?

Thank you for --

MS. ECKERLE: Okay.

CHAIRPERSON NEWSOM: We spent a lot of time a few
months ago on this topic, and thank you very much for --

MS. ECKERLE: Yeah.

CHAIRPERSON NEWSOM: -- taking the time to come
up here --

COMMISSIONER YEE: Thank you.

MS. ECKERLE: Yeah. Thank you for having me.
CHAIRPERSON NEWSOM: -- for the presentation and thank you for the engagements.

MS. ECKERLE: Okay. Thank you.

CHAIRPERSON NEWSOM: Excellent.

Anyone? No one filled out a form? Anyone here to speak on in item?

Seeing none. Public comment is closed. It's just an informational item.

We'll move to two additional items. Item 87, also an informational report on our efforts to update our Commission's environmental justice work. What say you?

EXECUTIVE OFFICER LUCCHESI: Are we jumping past PG&E?

CHAIRPERSON NEWSOM: Why not, yeah.

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: Okay. No, no I have no objection. I just wanted to --

(Laughter.)

CHAIRPERSON NEWSOM: I want to be consistently inconsistent.

EXECUTIVE OFFICER LUCCHESI: Inconsistent. Got it. All right. Sheri Pemberton will be providing staff's presentation on this.

CHAIRPERSON NEWSOM: PG&E is not happy about that.
(Laughter.)

CHAIRPERSON NEWSOM: But this will be quick. And they should care about environmental justice.

COMMISSIONER YEE: They should.

CHAIRPERSON NEWSOM: So this is good.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Yeah. Thank you so much. This is an update on our efforts to update the Commission's environmental justice policy. This past November, we had three outreach sessions here in Fresno, and we heard a lot of great feedback from people in the community, both with interest about learning more about the Commission, how important access is to the San Joaquin River, and how important meaningful public access is taking into account access to public transportation, parking fees, and other issues like that. We also heard from a lot of the people that we talked to that translating documents into Spanish would be helpful. And for some of our more complex documents, environmental documents, if we could may be have a smaller type of fact sheet of sorts that simplifies the information, that would be helpful as well.

So we're compiling all the information that we heard from the people that we met with.

Another thing that we heard from people we talked to is that it would be helpful if we could present a draft
revised policy for people to review and comment on. So we're thinking about maybe putting that together and moving forward, having something more tangible we can circulate to people for an update.

The other thing we've been focused on, also together with Coastal Commission staff, is being more connected to ethnic media, so we can use that to communicate about what the Commission is trying to do and how important environmental justice is. So that's just kind of a quick synopsis on where we are and the status.

CHAIRPERSON NEWSOM: Great. So you said you -- you outreached in a town hall type format, or how did you actually engage out here?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: We did -- we did three different things. We participated in -- by phone there's a Leadership Council, and we and participated in that by phone. And then we also came out and attended another meeting that different representatives from State and local agencies participate in on environmental justice issues.

And then later in the evening, we held an outreach session with members of the community to just come and sit down and talk in a different setting, more casual, and just exchange information.

CHAIRPERSON NEWSOM: That's great. So where are
we overall with our efforts? What's the latest status?

EXECUTIVE OFFICER LUCCHESI: Well, as Sheri mentioned, what we keep hearing both through our efforts here in Fresno, but, I think, throughout all of our outreach is that it's -- it would -- the next step may be to put a draft update, a draft policy together, so that --

CHAIRPERSON NEWSOM: Work off that.

EXECUTIVE OFFICER LUCCHESI: -- our stakeholders and those that are interested in this effort have something to reacted to, to chew on, and when -- as Sheri and I and our team were talking about this earlier, I think it's -- it's a good time to do that, because we have conducted a lot of different outreach efforts, talked with a lot of people throughout the State in different kinds of formats, and we think we have enough to at least put some things on paper --

CHAIRPERSON NEWSOM: Good.

EXECUTIVE OFFICER LUCCHESI: -- so that that takes it to the next level. So that's where I think we're at in terms of moving this forward. And I -- as part of -- it's not just -- our plan is not just to draft a policy that then kind of gets put on a shelf, but a big part of our effort as you directed is an implementation plan. How are we going to take these policy directives
and actually implement it into our daily work, so is that it becomes second nature as we're analyzing projects and working these issues to make sure we do the right kind of outreach at the right time to make sure all of the voices are heard and all the considerations can be taken. And your decision ultimately is informed by all of that.

I think, if I can just add a little bit on to Sheri's reflection on the work that they did here in Fresno. As they -- as Sheri and her team were debriefing with me about that, what really came to light, you know, through some of their reflections were how do we bridge the gap between what our jurisdiction and authority is, for example, in a particular geographic location, the San Joaquin River - our ownership jurisdiction is limited - and we're focused on access, but the access challenges to these disproportional communities affected communities are much greater than just our little area.

So through the implementation plan, how can we bridge that gap? I mean, obviously, we can't fix everything, but we do think that it would be -- it's important to build into that implementation plan elements that encourage communication partnership with some of the local jurisdictions, so that we can at least shine a light on some of those more holistic challenges that many of these communities face, where our role may be just a small
part of that.

So --

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Yeah, exactly. Exactly. I think people express they really -- these are really important issues and they really care, and they're really happy that we're out talking about this and figuring out ways to incorporate environmental justice into our work, both -- not just as a policy, but as an implementation as something that the Commission is committed to and will really -- you know, will really make a priority.

CHAIRPERSON NEWSOM: Excellent. Good. Well done. Appreciate. And I appreciate the update as well. So how quickly you think we'll have a -- since you've implied a draft --

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: Well --

CHAIRPERSON NEWSOM: -- or prepare a draft.

EXECUTIVE OFFICER LUCCHESI: -- at the his of being -- you know, making decisions as a staff on the spot, I think it -- I think we should be working towards a goal of having a draft that goes before you, not necessarily -- before the Commission, not necessarily for approval but --

CHAIRPERSON NEWSOM: Discussion.
EXECUTIVE OFFICER LUCCHESI: -- informational, discussion, blessing that that's something we can move forward with as a working document, living document that we can then start using as the discussion piece in furthering our outreach efforts.

And I think that's something that we will work towards having before you at the February meeting next year.


Anything, anybody else?

Anyone here to speak to this item?

I didn't get any forms build. Seeing none.

We'll close public comment. And we'll -- thank you very much for the update and we'll move back to item number 86.

EXECUTIVE OFFICER LUCCHESI: All right. I'll give a brief presentation on this. And I know that Mark Krausse, a representative of PG&E is in the audience and can provide addition a context and perspective.

As background, and as you are well aware, in June of last year, the Commission authorized a lease with PG&E nor the continued operation of Diablo -- of the Diablo Canyon Power Plant, the offshore facilities and infrastructure that helps support those operations.

It was a short-term lease to coincide with the
expiration of the federal permits to operate the nuclear power plant. The Commission based its approval on that short-term lease, in part on a joint proposal between PG&E, a labor union, and several environmental organizations.

It is an agreement that provides for the orderly transition and ultimate retirement of the power plant, while facilitating replacement of nuclear power with other greenhouse gas-free resources, and also supporting the local labor unions and local workers at the plant, and of course, helping to mitigate the impacts of the retirement of the power plant on the local community.

The joint proposal is subject to approval by the California Public Utilities Commission, because of their jurisdiction extends to who's going to pay for the obligations set forth in the joint proposal. Recently, an administrative law judge with the PUC issued a proposed decision that effectually opines that certain elements of the joint proposal aren't appropriate for funding by the ratepayers. And that proposed decision significantly impacts the effectiveness of the joint proposal.

There was a hearing yesterday for final oral arguments with the ALJ, and the PUC is scheduled to consider this joint proposal, including the decision of the administrative law judge later this month.
And so with that background and update, trying to make it short and sweet, I'm happy to answer any questions to the extent that I can. This is — this informational report is to provide a status of the Commission, because it was a significant item before the Commission in 2016 that I know all the Commissioners worked hard to get to that decision-making point.

We also, as I mentioned, have Mr. Mark Krausse in the audience for PG&E that can provide additional context and update on the efforts before the PUC at this time.

CHAIRPERSON NEWSOM: Do you want to hear from Mark now?

MR. KRAUSSE: Chairman Newsom, and Commissioners, thank you very much. Mark Krausse with PG&E. I just want to thank the Commission for your continued focus on the implementation of our joint proposal.

I think I was here in April — I'm trying to recall — and updated you that the replacement power pieces of this, in terms of what generation will replace Diablo Canyon, through public input at workshops that we held earlier this career, almost unanimous input was that's not appropriate for a stand-alone proceeding like you're submitting here. That should be a part of the integrated resource plan that public utilities approach to describing what resources be it demand response, energy efficiency,
or generation might come in to replace Diablo Canyon.

So those pieces were agreed to by the joint parties to be placed into the IRP, separating proceeding that is currently going right now, and we expect to be -- at least have a next stage of success somewhere in the first quarter ideally.

But with regard to the proposed decision, yeah, we're not at all pleased with -- neither PG&E nor their joint parties are pleased with the ALJ's proposed decision. And so a number of folks -- all the joint parties represented yesterday had oral argument before the Public Utilities Commission.

And to give you some sense of how important feel it is, we had four of the five Commissioners, which isn't always the case at an oral argument like this -- only one was unavailable. But I think everybody got to make the strong points that we still feel very strongly about zero GHG replacement of this -- of Diablo Canyon, approval of the energy efficiency 2000 gigawatt hours of energy efficiency in the short-term, which will help, of course, with that later replacement, and then the community benefits package. That was zeroed, right, the community mitigation -- impact mitigation package, $85 million.

The ALJ gave about half a loaf, a little bit more on the employee retention and retraining program. So
we're not giving up on any of those pieces. And most importantly, we want the Commission to make a statement that Diablo will be replaced with zero GHG resources, so there will be no increased emissions as a result of its closure.

CHAIRPERSON NEWSOM: Thank you. I appreciate it. Any additional comment. We'll grab you back in a second.

MR. KRAUSSE: Thank you.

CHAIRPERSON NEWSOM: There are two other people filled out forms, and I'd be remiss if I didn't ask you up, Bruce Campbell, and forgive me, one other, I think Mr. or Mrs. Alonzo. Forgive me, I can't make out the writing.

MR. CAMPBELL: Good day, Chair Newsom, Ms. Yee, and Mr. Cohen sit-in.

I'm Bruce Campbell. I came up from L.A. today. So the Diablo Canyon nuclear power facility should be closed today. The collapse of the deal must lead to a shut down, not a license extension. Here's a headline of the Observer of November 18th, 2017, "Upsurge in Big Quakes Predicted for 2018 as Earth Rotation Slows".

The actual better -- better title would have been upsurge in big quakes predicted for 2018 as earth's slower rotation of last four years begins to pick up again.

Scientists have warned there could be a big increase in number of devastating earthquakes around the
world next year, the link between earth's rotation and
seismic activity was highlighted last month in a paper by
Roger Bilham of the University of Colorado, Boulder, and
Rebecca Bendick of University of Montana in Missoula
presented at the annual meeting of the Geological Society
of America.

"The correlation between earth's rotation and
earthquake activity is strong and suggests there is going
to be an increase in number of intense earthquakes next
year", Bilham told the observer last week.

In their study, Bilham and Bendick looked at
earthquakes of magnitude 7 and greater that had occurred
since 1900. They found five periods where there had been
significantly higher numbers of large earthquakes compared
with other times. In these periods there were between 25
to 30 intense earthquakes -- 25 to 30 over 7 earthquakes a
year. The rest of the time the average figure was around
15 major earthquakes a year.

Bilham and Bendick found that there have been
periods of around five years when earth's rotation slowed
by such an amount -- so over the last century and a half,
there have been several times where a 5-year period, so
we're now over 4 years into the slow down, and it's -- and
it's beginning to pick back up, which is when they expect
the quakes.
It is straightforward, said Bilham, the earth is offering us a 5 year heads up on future earthquakes. The link is particularly important, because earth's rotation began one of its periodic slow owns more than 4 years ago. The inference is clear, next year, we should see a significant increase in numbers of severe earthquakes.

We've had it easy this year. So far we have had only 6 severe quakes. We could easily have 20 a year starting in 2018, and then note it can go up to 30.

And now I'll discuss major coastal faults in southern and central California. So Southern California -- so the basic Newport/Inglewood fault, which goes by San Diego, San Onofre, Orange County through the harbor and refinery area, through the largest urban oil field, the Inglewood Oil Field, and ends around West L.A., Culver City, which are about a mile from me.

And unfortunately that quake has been -- seems to be linked to the man -- the earth's mantle they've discovered for that fault system.

So -- and then from West L.A. up to the Santa Ynez Mountains in Santa Barbara County the faults go every which way, and there's no obvious major coastal faults.

And then -- then you have the 2000 kilometer Oceanic Murray Fracture Zone hitting that North American Continent at Point Conception and Arguello in Santa Barbara count.
And if you look, that's -- if you look, that's where the bend in the San Andreas is further east, which seems to show impact of that Murray Fracture Zone setting besides.

CHAIRPERSON NEWSOM: And Mr. Campbell, forgive me, the time has expired, but respecting you took the time to come all the way up, I appreciate that, and I'll extend it, but if you can just sort of sum up the point beyond the self evident point, we've got to get ready for an earthquake and let be sure we're prepared.

MR. CAMPBELL: So -- oh yeah, so -- so above Santa Barbara County, so there's the Hosgri Fault -- so there are three faults there. They might be separated by a mile or two but they're pretty much one fault. Hosgri, San Simeon, San Gregorio fault, and then it goes into the San Andreas somewhere around the Farallon Islands or so.

And the Hosgri Fault had a 7.3 to 7.5 quake November 4th 1927 west many Lompoc. And I meant to bring, and also quote, but obviously don't have time, about -- there was January 10th, 2013 article about how they predict a statewide quake on the San Andreas. And also that Fukushima quake, they didn't expect a strike slip to have such a large -- large magnitude, and they -- some now think that San Andreas could have an over 9.

So I hope to speak during general comment. Thank
CHAIRPERSON NEWSOM: Appreciate it. We can add Hayward in there.

There was, I think one -- oh, excuse me, Mr. Alonzo come on up and anyone that wishes to speak on this item specifically, if they can fill out a form, otherwise you'll be the last public speaker on this item.

MR. ALONZO: Thank you, Chairman Newsom and Commissioners. I have a brief statement and then a couple of letters on the subject here for you, the Commission.

So we just received an update and a great presentation on the Diablo Canyon Power Plant and the status of the joint proposal application.

We were notified of this issue by our sister chambers over on the central coast. We realize that you're not the deciding body on this matter, but we also know that you are monitoring the issue and we wanted to take this opportunity to share the local community -- the local business community's perspective on this really important issue to our friends on the central coast and is interrelated here to us in the Central Valley.

The Fresno Chamber shares the concerns of our fellow chambers on the coast related to potential safety and environmental impacts should the proposed decision be adopted by the CPUC. The impacts are outlined in a letter
that the coalition of business organizations shared with us, and I believe that they also shared it with you. But just in case, I brought a copy with us.

We appreciate your time and we thank you for coming to visit us here in Fresno, and we hope to have you back for other Commission meetings here soon.

CHAIRPERSON NEWSOM: Very grateful.

Thank you very much. And again, anyone else here wish to speak on this item?

Seeing none. We'll close public comment on the item.

So, Jennifer, let's just -- you know, we had the chance -- obviously, this is -- full disclosure was part of the conversations we had in closed session. So if you -- if you -- if you're frustrated by the brevity of perhaps our public sentiment, it's -- I think we -- you know, we've, dis -- you know, we've distilled the essence in the Executive Officer's overview.

We worked hard this Commission, all of the Commissioners, to secure certain deal points with multiple organizations and entities. We had high expectations, and we demand they be met. That now requires collaboration, coordination with sister agencies. We were all disappointed to learn about the administrative law judge and their proposed decision, at least I was -- and I don't
want to speak for everyone else, but I believe that's the sentiment of the Commission. And we seek to address that.

And I believe there's consensus that at very least, we should assert our point of view yet again in an aggregate manner by sending a letter to the PUC, and the letter, more generally the public, so that those points that were part of the this coalition are codified and reinforced. That we reassert ourselves in this process and encourage this process to ultimately conclude along the lines of is that which we originally expected. At least that's my sense of where we are.

With that though, I will defer to my colleagues to fill in some blanks.

COMMISSIONER YEE: Thank you, Mr. Chairman. Absolutely right. I mean, I can't -- not to relive what we decided last year, but I think it's really important to reaffirm the specific pillars upon which our decision was based and really created the foundation for it. And, you know, just looking forward in terms of the joint agreement, and I will say it was a responsible, I think, approach in terms of what led to our action. It is -- and you and I, Mr. Chairman, we shared in a lot of the development of those pillars.

I mean, for me, I just have to say the workforce issues around employee retention and severance just speaks
to the heart of the assurance that there will continue to
be safe operation of the facility. And, I mean, safety
has got to be paramount and continues to be a paramount
concern for me here.

Secondly, the community impacts. Mitigation of
those comprise, I think, the majority of the testimony we
heard --

CHAIRPERSON NEWSOM: That's right.

COMMISSIONER YEE: -- during our deliberations.

And, you know, really was, I think, something that the
company was very diligent in pursuing, and worked very
hard with the community to ensure that there was some
provision for that.

And then obviously the goal of really getting the
replacement power to be zero GHG is -- is essential. And,
you know, regardless of how the Commission -- the Public
Utilities Commission wants to kind of frame each of these
elements, and their ultimate decision about how much, how
little is still forthcoming. I really want to have our
letter reaffirm how important those pillars were to
creating the foundation for our decision here.

CHAIRPERSON NEWSOM: Yeah. And in addition,

obviously those -- the community impact issues as well.
But I think all those points the Commissioner made
we've -- need to be reinforced explicitly.
Any additional comments?

So we -- and none us -- by the way, the whole point of our Commission action was to shut this plant down. There's a bit of mythology out there on this misinformation candidly, intentional or unintentional. I'm not always convinced which. And we are committed to public safety, and we are committed to shutting this plant down, and we're also committed to the environment in the process and the people, the community impacted, and the people that are there today making sure that the current plant is operating at the highest level of safety.

And we also are not naive to the lessons that should have been learned, in the SONGS example, which did not consider these things. So I think with that, what we did was wise under the circumstances, and we should advocate accordingly.

So I think you've got a sense of where we are.

EXECUTIVE OFFICER LUCCHESI: I do. If I may side step just a bit for the record and clarification. You did mention closed session. So for complete transparency, we did discuss this under the umbrella of pending litigation, because we do have litigation that's pending before the appellate court in the World Business Academy versus the California State Lands Commission. I wanted to make that very clear that -- that we had authorization to talk about
this in closed session.

With that said, I hear you loud and clear. I share your concerns, and I share your desire to convey this message. And we will draft a letter quickly, because it's important that we get that to the PUC as quickly possible, so that it's part of their record in front of them as they make this decision. And I will work with each of the offices individually to ensure that the direction that I'm being given today is consistent with the letter that I ultimately send on your behalf.

CHAIRPERSON NEWSOM: Grateful. If there's no additional comments, this was an informational item. Thank you for that, and we look forward to viewing that letter and getting it out immediately.

We have, I believe, one or two more items, the two is the public comment.

EXECUTIVE OFFICER LUCCHESI: Correct.

CHAIRPERSON NEWSOM: The one is Item, I believe, 88 --

EXECUTIVE OFFICER LUCCHESI: Right.

CHAIRPERSON NEWSOM: -- is that correct?

EXECUTIVE OFFICER LUCCHESI: That is correct.

CHAIRPERSON NEWSOM: We're heading to the border.

EXECUTIVE OFFICER LUCCHESI: Yes. Yes. Our staff environmental scientists Maren Farnum will be giving
staff's presentation on this informational item.

CHAIRPERSON NEWSOM: Excellent. Thank you.

And you can just jump right -- I think all of us are very familiar, because we had the opportunity the last time we were down south to discuss this with the mayor of one of the cities impacted most significantly by this.

But, I mean, the question, I think for all us, in your presentation, and perhaps it was meant to be that you don't necessarily have it all keyed up, what our role is, what we're doing in terms of working collaboratively with other agencies, what our next steps are.

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Okay.

CHAIRPERSON NEWSOM: This is allowing you to just throw out all of that work you did to prepare --

(Laughter.)

CHAIRPERSON NEWSOM: -- all that time you had to reflect on your comments --

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Sure.

CHAIRPERSON NEWSOM: -- over the course of the last four hours --

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Okay.

CHAIRPERSON NEWSOM: -- and now wing it.

(Laughter.)

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Well, so should I take that as direction that my presentation will
not be coming up?

CHAIRPERSON NEWSOM: Well, I don't want --

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Okay.

Sure. So, yes as you know, we were prompted to look further into this issue due to a major sewage and untreated wastewater spill that happened earlier this year. The mayor of Imperial Beach, one of the communities most affected by that spill, came and spoke to our Commission here, and you directed us to look further into it.

And so that led us to a number of efforts to reach out to so many different stakeholders, and other federal, State and local agencies that are already engaged in this problem. I have been working on it for decades actually. And --

CHAIRPERSON NEWSOM: And for give me, in what capacity you've been working on it for decades?

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Well, it's a -- it's a complex patch work. So a lot of the efforts are led by agencies in the federal government. The International Border[sic] and Water Commission is one that's a division of the State Department, and the U.S. Fish and Wildlife Service, NOAA. There's the National Estuary Research Reserve that's down there. So those are shall of the federal partners, along with the U.S. EPA.
CHAIRPERSON NEWSOM: Yeah. But your involvement individually?

STAFF ENVIRONMENTAL SCIENTIST FARNUM: So my involvement individually was -- and there was a team of us actually at State Lands to look into what our jurisdiction was in the area, what sovereign lands and Public Trust resources were being most impacted, as well as what types of collaborative efforts could we be engaged more with to help be a part of some of the solutions that are out there.

And so personally, I also went down there, and met with a number of our people. I was able to attend the Senate informational hearing on this item, and water quality issues as well Salton Sea. I was able to meet with a number of the local agencies, including the regional water quality control board, and the folks at the research reserve gave me a very comprehensive tour of the whole area.

I was also able to meet with folks from Homeland Security and the Navy who have concerns for their own personnel in the area that are being affected by health issues.

So -- so gathered up a lot of information, including working with your Sea Grant Fellow and our Sea Grant Fellows to really try and delve into some of the
issues surrounding the scientific data and research that is necessary to inform the right decisions and priority actions to take. It's a little bit of a -- it's a little bit of a data soup, because we have data collection efforts, and research efforts that happen on both sides of the border.

So a lot of it is about -- a lot of the solutions are geared towards improving coordination efforts across the border, and those are on policies issues, but also on the research side as well to really try and figure out the main sources of these pollution problems, and then how we can get resources most effectively to the source, rather than always kind of cleaning up on the back end.

So I do have a presentation, which I just want to show you, because there's some images that can help us sort of orient ourselves here. But I'll go through it as quickly --

CHAIRPERSON NEWSOM: No. Appreciate it.

STAFF ENVIRONMENTAL SCIENTIST FARNUM: So just to remind you, this is the extent of the full watershed. It's over 1700 square miles. It spans both sides of the border, the majority of which is on the Mexico side of the border. But the whole thing drains out through a very small 8 square mile river valley in the southern part of the San Diego County, and just south of the City of
Imperial Beach.

And so we do have a few leases in this area. We have leases to California Department of State Parks for the Border Field State Park. We have a lease with the U.S. Fish and Wildlife Service for part of that estuary research reserve. And we also lease part of the Pacific seafloor for an outfall for international treatment -- wastewater treatment facility that is run by the International Border[sic] and Water Commission, as well as the City of San Diego.

So, again, we -- we know that these -- there was a major spill earlier this year. But looking more into this, we discovered the problems related to the sewage spills are -- are pretty complex. These spills, large and small, happen fairly alarmingly frequently throughout the wet season. And the image on one side under the transboundary flows is showing all these different pathways that untreated sewage can end up taking as they flow into the Tijuana River Valley that's on the U.S. side of the border.

And a lot of that is because there's been a huge population boom within the city of Tijuana and within the canyon areas that surround the city. And the wastewater infrastructure development hasn't really kept pace with those population booms.
Also, similar to our cities and counties is that we have here, much of the infrastructure that is within the city limits is outdated, it's in need of repair and replacement often, and sometimes it just -- even the stuff that's there doesn't really function very well. The systems get overloaded very quickly during the wet season. And are also issues with things like power outages that cause pump failures and things like that. So you see a lot of direct wastewater and direct untreated sewage going right into these tributaries down into the river valley.

Sediment is also a major problem, and a major source of pollution for the salt water estuary down by the river mouth, where a lot of our, you know, most important Public Trust resources are located. The sedimentation issues are largely related to the development and land use patterns all throughout these canyon areas. A lot of people building informal housing on steep slopes, and these slopes are also composed of very fine grain loose sediments that quickly and rapidly erode, and sometimes there's also very major land slides during the wet season.

The sediment basins that exist including a couple that are in Border Field State Park where we lease lands, are consistently overburdened. Sediment disposal is very difficult and costly. The sediments are contaminated. They have to be cleaned, and then they have to be
transported somewhere. And they aren't the ideal sediments to be placed for beach nourishment, because they are fine grained small sediments. And you typically want coarser larger grain sediments to stay in place when you do beach nourishment.

There are plans to build a new sediment basin. Those efforts are being led by the International Border[sic] and Water Commission and others, but, you know, we're a few years out from that becoming a reality.

But there's more. There's trash that also comes along with those major sediment flows. The -- a lot of the trash collection services within the city of Tijuana do not reach out to those developing communities in the canyons. There are a lot of roads that are built to get those services to those areas. So there's a lot of sort of informal places where trash and debris is discarded, as well as the canyon walls are often reinforced by tires.

And so all of this washes down into the river system in the wet season, and further exacerbating the wastewater collection systems because they -- you know, they crowd and sort of block up those pathways.

So again, I mentioned a lot of works are working on this. These are actually just some of the federal, State and local agencies, engaged in these efforts, including there are working groups established by UPA
programs for wastewater, sediment, and trash, all specific to those issues.

Also, in 2008, the Tijuana River recovery team was formed, which is a collaboration between many agencies as well as nonprofits in the area, to -- and that's put forth some different strategies and projects that they'd like to undertake.

I'll say that most of the funding for these projects have had federal sources in the past, and those funding sources are quickly disappearing, or have already disappeared out of the, this administration's proposed budget. So a lot of these programs are limping along at the moment, and they don't really have future security.

So our main recommendations are to, as staff, to get more involved, to collaborate more with these efforts that are already underway, and to work with all these partners, as well as the legislatures to try and come up with some more ways that the State can make up maybe some of the losses that are happening at the federal level.

We want to help these groups sort of identify promising projects, funding opportunities. And we think that we could play a role as well in helping to coordinate some of the resources. So we are going to commit to you, as a Commission, that we will keep you updated and informed as our progress goes along. We've had some
talks, particularly with the Ocean Protection Council's Marine Debris Program, to work on some ideas, as well as, you know, a number of our sister agencies that are involved in ocean and coastal management and the protection of Public Trust resources.

So with that, I'd be happy to take any of your questions.

CHAIRPERSON NEWSOM: No, I appreciate. I mean, it's frustrating for everybody. Because at the end of the day, it's going to require resources and resourcefulness. And I think we're provided the latter not the former in terms of our collaboration and coordination. I happened, just interestingly, to be down - at least, it was an interesting conversation - in Mexico City meeting with representatives with the Mexican government on this issue among a few others.

And everybody said the right thing. And everyone lamented about the fact that they don't have the resources to make the kind of capital infrastructure investments that are required. But it was interesting -- and I -- I didn't bring it with me, but there was -- they had their own version of a presentation, and laid out a pretty comprehensive framework of what they're doing and committing to, as a central government, to help support the local efforts up there.
And I want to make sure that I provide that to you. Unfortunately, I didn't bring it with me today. So let's connect on that. And you're already engaged with my staff.

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Okay.

CHAIRPERSON NEWSOM: But we just -- I mean, the bottom line here is we just have to reinforce and sort of reinvigorate that collaborative process. And I think it's -- you know, it's -- I'm encouraged and grateful to you guys for leaning in on this, and not abdicating responsibility, not pointing and suggesting that it's, you know, above our pay grade, so to speak.

And I think that's encouraged a lot of other partners, which is important, and I hope we continue that. And I'm very grateful for your work on this as well.

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Thank you.

CHAIRPERSON NEWSOM: So that's more of a comment, more than a question. But let's keep on this, and let's raise the bar of expectation with our partners and sister agencies. And let's continue to see if we can work collaboratively with the Mexican government as well. I think we need to reinvigorate those conversations as well.

It's just some thoughts. But those, by any means, are comprehensive.

Do you have any?
EXECUTIVE OFFICER LUCCHESI: Not -- only to --

CHAIRPERSON NEWSOM: I don't want to deny you.

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: Right. No, only to reinforce what you're saying is we have coming out of the direction from a couple of meetings ago on this, we have developed a team. Maren is leading that team. And as you heard, both in terms of the quality of her knowledge on this after just a couple of months of diving in, plus the efforts that she and her team have gone to to meet with different people. We're all in.

CHAIRPERSON NEWSOM: That's great.

EXECUTIVE OFFICER LUCCHESI: And we want to continue under your direction and vision to continue to shine a lot on this. Obviously, it's incredibly complex. And so there isn't going to be a magic solution out there. But hopefully with all of us focusing on it, to this extent and even more, that something will -- some different options, solutions will start to show themselves.

CHAIRPERSON NEWSOM: Yeah. No, this is -- this is one of those areas where it would be nice if we had a federal government that was enlightened, because no wall is going to solve this problem. And this is just one of the -- there's so many -- so many of these nuanced areas
where, you know, a little respect, a little collaboration, 
a little empathy and understanding go a long way.

But this is becoming a bigger and bigger health issue. And, of course, we're going into that rainy season, so this is going to be highlighted and reinforced over the course of a number of months -- next few months.

So, anyway, keep up the good work guys, and thanks for the update.

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Thank you.

CHAIRPERSON NEWSOM: And forgive me, I don't know if there's any additional --

EXECUTIVE OFFICER LUCCHESI: We do have a public comment.

CHAIRPERSON NEWSOM: And there's -- and Jennifer is here to talk about this.

EXECUTIVE OFFICER LUCCHESI: Right.

CHAIRPERSON NEWSOM: I don't know why the Surfrider Foundation has any interest in this.

(Laughter.)

MS. SAVAGE: Well, I actually have some good news, so bear with me.

CHAIRPERSON NEWSOM: Good.

MS. SAVAGE: And I do have a presentation.

CHAIRPERSON NEWSOM: Oh, gotcha. Okay.

MS. SAVAGE: Jennifer Savage Surfrider
Foundation, California Policy Manager. First of all, thank you for your attention to this long-standing problem of trash and sewage flowing from the Tijuana River into the Pacific for decades. As you know very well, the pollution has caused human health problems, threatened local economies, and damaged the environment.

Woops. I got ahead of myself.

Surfrider, of course, finds this unacceptable. Our San Diego Chapter has been working forward a solution through it's No Border Sewage Program, which has commonly known as No BS. We commend your staff for today's report, and we wanted to follow up with some information of our own.

Unfortunately, our San Diego staff could not be here today, so I'm speaking on the chapter's behalf.

Notably during the last week end of October, about a month ago, beachgoers in South San Diego County reported a bad stench, discolored ocean water from Imperial Beach to Coronado. Local residents, of course, know these signs of sewage discharging from the Tijuana River all too well. Unfortunately, Mexico's government at the time denied that any sewage spill had occurred.

However, the Tijuana based Proyecto Fronterizo de Educacion Ambiental -- forgive my pronunciation -- had done independent water testing on Friday, October 27th,
and reported extremely high levels of fecal-indicator bacteria in neighboring Playas de Tijuana.

    Although Mexican officials deny a spill occurred, the project's data indicated that Tijuana's deteriorating San Antonio de los Buenos Sewage Treatment Plant was likely the source.

    The impact was that miles of coastline in San Diego County were polluted with sewage and high levels of fecal bacteria. Making matters worse, beaches in the area remained open all throughout the weekend. The San Diego Environmental Department of -- or Department of Environmental Health tasked with protecting the health of the beachgoers and regulating recreational water were -- they were notified about the suspected spill, but they only came out and performed a visual inspection. They didn't do any sampling. They didn't close any beaches. No notes were posted. Consequently, the beaches remained open all weekend, and a whole bunch of surfers and swimmers got sick, including the Mayor of Imperial Beach, Serge Dedina, who brought this problem to your attention before.

    It's extremely unfortunate that these sewage spills are happening so frequently. But this is where I get to the good news. Our chapter staff had a very productive meeting with the San Diego Department of
Environmental Health just yesterday regarding why they did not do the testing back in October.

They explained that they sent out a staff sampler on two occasions, but at the time that the sampler went out neither that person nor the lifeguard smelled anything or saw anything. The swell and wind had changed, and so they didn't know people were getting sick. They didn't know there were reports from Mexico received on this side of the border. They just simply didn't have the information that was circulating on social media and among the nonprofits.

So to their credit, staff did recognize that changes needed to be made. So here's what they came up. In order to expand coverage, the county department will move its weekly water sampling to Thursdays, which will then complement instead of duplicate efforts by the City of San Diego and IBWC, which both test weekly on Tuesdays.

They will administer daily checks to the on-line swell monitor and plume tracker to study the south swell and wind changes.

They're in the process of building a partnership in Tijuana with the nonprofits and local government, and they've asked Surfrider and WILDCOAST to help facilitate these relationships, because we already have them.

They're going to use digital globe and satellite
monitoring and evaluate images to better understand what is -- what is happening. They are going to test whenever there are odors where there is a south swell. So it won't just be when we think something has happened. Whenever there's a south swell or when odors are reported they're going to test.

And finally, they have reached out to Southern California Coastal Water Research Project to see the they can join and broaden the study plan for spring 2018.

So we're really excited about the Department's response. We think that it is a really good way for that agency to plug in and help the cause.

And then is second bit of good news is that Surfrider San Diego was recently awarded a grant from Las Patronas to set up two Blue Water Task Force programs. Blue Water Task Force is Surfrider's volunteer water quality monitoring program. So one at a local high school in Imperial Beach close to the border, and the other based out of Coronado.

And these new labs will allow chapter volunteers and high school students to establish an ongoing water sampling program, so they can respond to future sewage spills in the border region in a quick fashion.

These test results will then be posted on Surfrider's website, shared with community members, local
beachgoers, agency officials -- who else? All the people who are responsible for monitoring and managing the situation. And our hope is that by providing this information, it will assist in better protection of our coastal communities, it will motivate our public officials to act on necessary closures, and assist in finally developing a federal solution to this ongoing public health issue.

So I just want to say thank you to you and to you're staff, particularly Maren for the efforts on this matter, and we look forward to working together for the protection and enjoyment of California's ocean, beaches, and waves.

Thank you.

CHAIRPERSON NEWSOM: Thank you. Thanks for your comments.

Anyone else wish to speak on this item?

Seeing none.

We will close -- well, we'll move on from this informational item and update to the final item, which is public comment, is that correct?

EXECUTIVE OFFICER LUCCHESI: That's correct.

CHAIRPERSON NEWSOM: And I believe we have two individuals that have filled out public comment forms. And for give me, it's Radley Reep followed by Bruce
Campbell.

MR. REEP: Members of the Commission, hello. My name is Radley Reep. I'm a Fresno county resident. I am so happy is that you are here --

(Laughter.)

MR. REEP: -- today in Fresno.

I attended one of your environmental justice meetings that was held here a couple of weeks ago.

CHAIRPERSON NEWSOM: Great.

MR. REEP: That was wonderful.

CHAIRPERSON NEWSOM: Thanks.

MR. REEP: And it's because of my contact with those folks that I felt emboldened to come here and make a request of you today.

I'm vitally interested in the San Joaquin River Parkway as it's being developed. And I realized now that the parkway is getting to the point where this Commission would be making more and more decisions, and studying it more closely as things move along.

And I want to let you know that there are folks like me who have lived on the river, or who have been on the river for our lifetimes. We have a history of that area and we know the condition of the property that you have an interest in.

We'd like to help you, when it's appropriate, to
provide whatever information you may need. But to do
that, we think we need something from you. It's sort of
you -- we'll help you, you help us.

(Laughter.)

MR. REEP: And so the three things that we would
really help us would be first to develop a listserv, so
that I could send you my email. And if any reports or
studies or leases -- lease applications or anything were
coming up on that stretch of the river, you could just
drop us a quick note. And that way we would be in the
loop and be prepared to respond in a timely manner.

The second one is in regard to maps. Because I
lived on the river all my life, and know that property
owners over years have managed to pay demand taxes and get
their property rights extended to the middle of the river,
I know the complexity of that whole situation.

So when we want to address matters that are of
your interest, we need to know where your property is.
And we really don't know many times where that is. And so
we're wondering whether or not you could create a map for
us that would show along the parkway, that 22 mile
stretch, where your interests are.

And I would go to the county office -- assessor's
office to check their maps. But I'd tell they're not user
friendly, and they're often not accurate.
And the last thing is if you could establish somebody in your offices who could be responsible for answering our inquiries, a certain -- like a point person, so that if we had a question -- if we saw, for example, some great degradation on your property, and we just want to give you a quick alert, that there would be somebody we could contact.

So those are the three things. One, a listserve to keep us informed, the other is maps so we know where you are on the river, and the other is contact people. And we would really appreciate working with you in the future. Thank you.

CHAIRPERSON NEWSOM: Love it. Considering you pay our salaries, it seems reasonable.

MR. REEP: Okay.

CHAIRPERSON NEWSOM: Everything you said.

MR. REEP: All right.

CHAIRPERSON NEWSOM: Jennifer, you'll -- that all makes sense.

EXECUTIVE OFFICER LUCCHESI: It all makes sense.

CHAIRPERSON NEWSOM: Yeah.

EXECUTIVE OFFICER LUCCHESI: It's reasonable, and it's -- we can easily do all three of those. So we will start working on that right away. And I appreciate the suggestion and the request.
CHAIRPERSON NEWSOM: Grateful.

MR. REEP: Oh. Thank you so very much.

CHAIRPERSON NEWSOM: Thank you very much. Thanks for your patience too.

Mr. Campbell.

MR. CAMPBELL: Thank you.

Woops. Sorry about that. So Bruce Campbell from L.A.

The two Diablo reactors sit near 13 faults. This number includes the Hosgri fault a few miles away, part of that largest subsidiary, the San Andreas fault I mentioned earlier, but doesn't -- but that number doesn't include the San Andreas about 40 miles away.

While it sounds like it's quite complex, basically while there is that complexity, basically the general framework is enough for a reasoned person who doesn't have major influences to conclude that it's a ridiculous spot for a nuclear power facility, let alone in the late 2010's.

I attended the seismic hearings to the Atomic Safety and Licensing Appeals Board of the NRC at the Vets Memorial Building in San Luis Obispo in the fall of 1980 at which Governor Brown had two lawyers contending that Diablo should not commence operation due to its seismic setting. The seismic setting is the same, Brown isn't.
The hearings were held due to unusual ground 
acceleration readings, especially vertical ground 
acceleration from the Imperial Valley 10/15/79 earthquake. 
By the way, when Chairman Salzman of the NRC's 
ASLAB ruled that Diablo was seismically safe, that was 
after he was appointed to a federal judgeship by President 
Reagan.

At the time, Diablo -- at the time is that Diablo 
got it's low power test license, over 100 workers gave 
sworn testimony to the Government Accountability Project 
about 3000 with the facility, but the NRC didn't care. 
It's PG&E.

Now, let's deal with the levee subject of 
radioactive waste containers. A German company makes a 
transportable cask made of 24-inch thick stainless steel. 
Twenty-two or 23 spent fuel rod assemblies in 24-inch 
thick stainless steel. The NRC lets utilities choose rad 
waste containers. Our cheapskate investigator-owned 
utilities choose very thin can -- they don't choose casks, 
which could be transported. Very thin canisters a half 
inch or slightly over a half inch thick.

I heard the executive of the Holtec Company, Dr. 
Singh, say at the community engagement panel meeting in 
2014 or '15 that the Holtec canister cannot be monitored, 
cannot be repackaged, and cannot be transported.
So -- let's see. One of PG&E's canisters show signs of cracking after two years, and Dr. Singh admits his company's canister can crack all the way through this 17 years, once the crack is identified.

And by the way PG&E seems to have loaded a majority of their canisters in the wrong way, let alone it being such a pathetic container to put it in. It's wrong to put it there to begin with, even if they loaded it right.

The Coastal Commission was assured by a Southern California Edison attorney -- I'm thousand talking about the San Onofre rad waste dump thing, might start putting the -- build this half buried, somewhat cement mound of canisters on the bluff above San Onofre's planned for this coming month.

I haven't even mentioned the worst part of the PG&E and SCE canisters. So remember -- remember the 24-inch thick stainless steel option from German -- a German company, and that would house 22 or 23 spent fuel rods assembly. That's a little over an inch of shielding per spent fuel rod assembly.

So how many -- I know I'm familiar with SCE's number here.

CHAIRPERSON NEWSOM: Good. And just, as you know, the red light has gone off. I'm giving you a little
extra time. If you can just sum up and conclude.

MR. CAMPBELL: So SCE --

CHAIRPERSON NEWSOM: Thank you.

MR. CAMPBELL: SCE has chosen to put 37 spent fuel -- a hell of a lot more than in the 24-inch thick in this thick canister. They could careless about our health. And also, the two -- think way PG&E lost their initiative trying to squelch is community choice aggregation, June 2010, 9/9/10 was the San Bruno pipeline blast. Then they went judge shopping for a favorable ruling in the payout on that. Then there are the wine country fires.

Anyway, the Diablo fires will make wine country fires look minimal. And I've seen wind row showing their radiation cloud could go all the way up to the Shasta and Redding area.

CHAIRPERSON NEWSOM: Thank you, Mr. Campbell.

MR. CAMPBELL: Good luck, Jim.

CHAIRPERSON NEWSOM: Okay thank you.

MR. CAMPBELL: Remember that Mission Impossible statement, it might --

CHAIRPERSON NEWSOM: Got it.

MR. CAMPBELL: -- be impossible without people standing up to PG&E.

Thank you.
CHAIRPERSON NEWSOM: All right. Thank you.
Any of our -- any additional members of the
public wish to speak?
Seeing none. We'll close public comment.
COMMISSIONER YEE: Mr. Chairman, thank you for
holding this Commission meeting here in Fresno. I think
it's really important for us to have a presence where we
do have interests that pertain to the work of the
Commission.
And might I suggest that we perhaps have a
meeting next year in a desert location to --
CHAIRPERSON NEWSOM: Yeah.
COMMISSIONER YEE: -- bring the participation
much our desert communities together.
CHAIRPERSON NEWSOM: I like that idea.
COMMISSIONER YEE: Thank you.
CHAIRPERSON NEWSOM: Considering you're running
this show next year, that's -- that's not a request.
(Laughter.)
CHAIRPERSON NEWSOM: That needs to be scheduled.
(Laughter.)
EXECUTIVE OFFICER LUCCHESI: Perfect timing. We
are working next career's schedule and locations now.
(Laughter.)
CHAIRPERSON NEWSOM: I love it.
EXECUTIVE OFFICER LUCCHESI: We'll certainly do that, Commissioner Yee.

CHAIRPERSON NEWSOM: This was only 4 hours. Nothing.

(Laughter.)

CHAIRPERSON NEWSOM: Like the last hearing -- or last meeting.

Seeing no business remaining in front of this Commission, I believe, Ms. Lucchesi, that concludes the agenda, and concludes today's meeting.

Thank you all very much for your patience and participation. Take care, everybody.

(Thereupon the California State Lands Commission meeting adjourned at 4:15 p.m.)
CERTIFICATE OF REPORTER

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

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

That the said proceedings was taken before me, in shorthand writing, and was thereafter transcribed, 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 11th day of December, 2017.

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