

MEETING  
STATE OF CALIFORNIA  
LANDS COMMISSION

PORT OF LONG BEACH  
HARBOR COMMISSION BOARDROOM  
HARBOR DEPARTMENT INTERIM ADMINISTRATIVE OFFICES  
4801 AIRPORT PLAZA DRIVE  
LONG BEACH, CALIFORNIA

THURSDAY, AUGUST 23, 2018  
1:13 P.M.

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

A P P E A R A N C E S

COMMISSION MEMBERS:

Ms. Betty T. Yee, State Controller, Chairperson

Mr. Gavin Newsom, Lieutenant Governor, represented by Ms. Sloane Viola

Ms. Keely Bosler, Director of Department of Finance, represented by Ms. Jacqueline Wong-Hernandez

STAFF:

Ms. Jennifer Lucchesi, Executive Officer

Mr. Mark Meier, Chief Counsel

Ms. Maren Farnum, Environmental Scientist, Executive Office

Ms. Kim Lunetta, Administrative Assistant

Ms. Sheri Pemberton, Chief, External Affairs and Legislative Liaison

ATTORNEY GENERAL:

Mr. Andrew Vogel, Deputy Attorney General

ALSO PRESENT:

Ms. Paloma Aguirre, WILDCOAST

Ms. Sabrina Brennan, San Mateo County Harbor Commissioner, Committee of Equity in Women's Surfing

Mr. Otis Calet, Santa Barbara Trails

Mr. Marc Chytilo, Committees for Land, Air, Water and Species, Gaviota Coast Trail Alliance, Gaviota Coast Conservancy

A P P E A R A N C E S C O N T I N U E D

ALSO PRESENT:

Ms. Emma Freeman

Mr. Jason Giffen, Port of San Diego

Mr. David Grubb, Sierra Club

Ms. Janet Gunter, San Pedro and Peninsula Homeowner's  
Coalition

Mr. Graham Hamilton, Surfrider Foundation

Mr. Chuck Hart, San Pedro Peninsula Homeowners United

Ms. Angela Howe, Surfrider Foundation

Ms. Katiana Johnson, Natural Resources Defense Council

Ms. Susan Jordan, California Coastal Protection Network

Ms. Reneé Lawler

Dr. Margaret Leinen, Scripps Institution of Oceanography

Ms. Mary Luévano, California Coastal Commission

Ms. Alyssa Mann, The Nature Conservancy

Mr. Steve Marion

Ms. Angela Mooney D'Arcy, Sacred Places Institute for  
Indigenous Peoples

Mr. Tom Raftican, The Sportfishing Conservancy

Ms. Jennifer Savage, Surfrider Foundation

Ms. Taylor Thomas, East Yard Communities for Environmental  
Justice

Ms. Heather Tomley, Port of Long Beach

Mr. Mark Vargas, California Coastal Commission

Mr. Noel Weiss

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I 1:00 P.M. - OPEN SESSION	1
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II CONFIRMATION OF MINUTES FOR THE MEETING OF JUNE 21, 2018	28
III EXECUTIVE OFFICER'S REPORT	29

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

Colin Boone Arnold and Victoria Lynn Arnold, Trustees of the Arnold Family Revocable Trust, Dated August 23, 1994, (Lessee): Continuation of annual rent at \$230 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in the Sacramento River, adjacent to 2915 Garden Highway, near Sacramento, Sacramento County. (PRC 6064.1)

Aaron Beaver and Natalie Beaver, Trustees of The Aaron Beaver and Natalie Beaver AB Living Trust, dated April 15, 2008 (Lessee): Continuation of annual rent at \$249 per year for a General Lease - Recreational Use located on sovereign land in the Sacramento River, adjacent to 14400 State Highway 160, Walnut Grove, Sacramento County. (PRC 8625.1)

Eliseo Cove Homeowners Association (Lessee): Continuation of annual rent at \$136 per year for a General Lease - Recreational Use located on sovereign land in Corte Madrea Creek, adjacent to 655 S. Eliseo Dr, near Greenbrae, Marin County. (PRC 4900.1)

Michael D. Grimes, Trustee of the 3272 Edgewater Road Qualified Personal Residence Trust dated August 9, 2013 (Lessee): Continuation of annual rent at \$1,470 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 3272 Edgewater Drive, near Dollar Point, Placer County. (PRC 7329.1)

Humboldt Bay Harbor, Recreation and Conservation District (Lessee): Continuation of annual rent at \$450 per year for a General Lease - Right-of-Way Use located on

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sovereign land in the Pacific Ocean, adjacent to Assessor's Parcel Number 401-111-006, near Samoa, Humboldt County. (PRC 3186.1)

John M. Kelly, as Trustee of the John M. Kelly Revocable Trust, dated March 31, 1997; John M. Kelly as Trustee of the John M. Kelly Exempt Generation-Skipping Trust under The Paul B. Kelly Revocable Trust, dated November 2, 1981; John M Kelly, Jr.; Elizabeth K. D'Ambrosia; and Matthew F. Kelly (Lessee): Continuation of annual rent at \$1,641 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 3390 Edgewater Drive, near Tahoe City, Placer County. (PRC 3346.1)

Roger Kelly (Lessee): Continuation of annual rent at \$198 per year for a General Lease - Recreational Use located on sovereign land in the Calaveras River, adjacent to 2869 Calariva Drive, near Stockton, San Joaquin County. (PRC 8422.1)

Bruce A. Krater and Doris K. Krater, Trustees, or their successors in trust, under the Krater Living Trust, dated November 15, 2000; and John R. Strickley as Trustee U/T/A dated 5/20/88 known as the John R. Strickley and Helen K. Strickley Family Trust (Lessee): Continuation of annual rent at \$556 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 8221 Meeks Bay Avenue, near Meeks Bay, El Dorado County. (PRC 8451.1)

Mark T. O'Brien, Trustee of the Mark O'Brien Family Trust, Dated January 27, 2004, and Marilyn A. O'Brien, Trustee of the Marilyn O'Brien Trust, Dated February 12, 2004 (Lessee): Continuation of annual rent at \$375 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in the Sacramento River, adjacent to 1715 Garden Highway, near Sacramento, Sacramento County. (PRC 8494.1)

Gerald R. Rose and Deborah K. Rose, Co-Trustees of the Rose Family Trust, Dated April 9, 2008 (Lessee): Continuation of annual rent at \$306 per year for a General Lease - Recreational Use located on sovereign land in the Sacramento River, adjacent to 42424 Front Street, near

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Knights Landing, Yolo County. (PRC 9083.1)

Leo H. Schuering Jr. and Eileen S. Schuering, Trustees of the Schuering Family Revocable Trust, Dated November 30, 1994 (Lessee): Continuation of annual rent at \$325 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in the Sacramento River, adjacent to 4475 Garden Highway, near Sacramento, Sacramento County. (PRC 6988.1)

Frank Sloomman and Brenda L. Sloomman, Co-Trustees of the Sloomman Living Trust Dated September 8, 1999 (Lessee): Continuation of annual rent at \$754 per year for a General Lease - Recreational Use, located on sovereign land located in Lake Tahoe, adjacent to 2050 North Lake Boulevard, near Tahoe City, Placer County. (PRC 8399.1)

Richard Sorensen dba Rio Ramaza Marina (Lessee): Continuation of minimum annual rent at \$952 per year for a General Lease - Commercial Use located on sovereign land in the Sacramento River, adjacent to 10,000 Garden Highway, near Verona, Sutter County. (PRC 4485.1)

Richard W. Tesene and Diane J. Tesene, as Trustees under the Tesene 1993 Revocable Intervivos Trust, under instrument dated July 15, 1993 (Lessee): Continuation of annual rent at \$278 per year for a General Lease - Recreational Use located on sovereign land in Montezuma Slough, adjacent to 3400 Gum Tree Road, near Suisun City, Solano County. (PRC 4052.1)

IV CONSENT CALENDAR C01-C110

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

LAND MANAGEMENT DIVISION  
NORTHERN REGION

C 01 ALAN K. AUSTIN AND MARIANNE P. AUSTIN, TRUSTEES  
OF THE AUSTIN FAMILY TRUST DATED AUGUST 6, 1997, AND  
BEAMING JOY LIMITED, A BVI LIMITED CORPORATION  
(LESSEE): Consider an amendment of lease and revision  
of rent to Lease No. PRC 5801.1, a General Lease -  
Recreational Use, of sovereign land located in Lake

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- Tahoe, adjacent to 850 and 860 West Lake Boulevard, near Tahoe City, Placer County; for an existing joint-use pier, two boat lifts, and four mooring buoys. CEQA Consideration: not projects. (PRC 5801.1) (A 1; S 1) (Staff: S. Avila)
- C 02 RICHARD T. BREUNER, TRUSTEE AND JANET J. BREUNER, TRUSTEE OF THE RICHARD T. BREUNER TRUST DATED MAY 11, 1973 (LESSEE): Consider a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2716 West Lake Boulevard, near Homewood, Placer County; for an existing pier and one mooring buoy. CEQA Consideration: categorical exemption. (PRC 4130.1; RA# 26717) (A 1; S 1) (Staff: S. Avila)
- C 03 BROCKWAY SHORES (LESSEE): Consider revision of rent to Lease No. PRC 4195.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 144 Chipmunk, near Brockway, Placer County; for an existing pier, 20 mooring buoys, and two marker buoys. CEQA Consideration: not a project. (PRC 4195.1) (A 1; S 1) (Staff: S. Evans)
- C 04 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE-WILDLIFE CONSERVATION BOARD AND COUNTY OF YOLO (LESSEE): Consider application for an amendment to Lease No. PRC 5791.9, a General Lease - Public Agency Use, of sovereign land located in the Sycamore Slough, near Knights Landing, Yolo County; to amend the construction start date for the reconstruction of the Knights Landing Boat Launch Facility and bank protection. CEQA Consideration: Mitigated Negative Declaration, adopted by the County of Yolo, State Clearinghouse No. 2017092057, and adoption of a Mitigation Monitoring Program. (PRC 5791.9; RA# 07517) (A 4; S 3) (Staff: M.J. Columbus)
- C 05 CHATEAUX DU LAC ASSOCIATION, INC. (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 9079.1, a General Lease - Recreational Use, located on sovereign land in Lake Tahoe, adjacent to 709 Lakeview Avenue, near South Lake Tahoe, El Dorado County; for an existing pier. CEQA Consideration: not projects. (PRC 9079.1) (A 5; S 1) (Staff: S. Evans)

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- C 06 DRUM LODGE LLC, A DELAWARE LIMITED LIABILITY COMPANY (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7741 State Highway 89, near Meeks Bay, El Dorado County; for an existing pier and one mooring buoy previously authorized by the Commission, and one existing boat lift not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 27151; RA# 18217) (A 5; S 1) (Staff: S. Avila)
- C 07 FACES, INC. (LESSEE): Consider revision of rent to Lease No. PRC 2216.1, a General Lease - Commercial Use, of sovereign land located in the Sacramento River, adjacent to 6985 Garden Highway, near Nicolaus, Sutter County; for an existing commercial marina known as Verona Village River Resort. CEQA Consideration: not a project. (PRC 2216.1) (A 3; S 4) (Staff: S. Evans)
- C 08 JOHN GILARDI DBA LAKEVILLE MARINA (APPLICANT): Consider application for a General Lease - Commercial Use, of sovereign land located in the Petaluma River, adjacent to 5688 Lakeville Highway, Petaluma, Sonoma County; for an existing commercial marina, known as Lakeville Marina. CEQA Consideration: categorical exemption. (PRC 6168.1; RA# 11616) (A 10; S 3) (Staff: M. Schroeder)
- C 09 GARY W. GUITTARD AND HORRACE A. GUITTARD, JR. (LESSEE): Consider revision of rent to Lease No. PRC 3294.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5660 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boathouse with boat lift, sundeck and stairs, two mooring buoys and one boat hoist. CEQA Consideration: not a project. (PRC 3294.1) (A 1; S 1) (Staff: S. Evans)
- C 10 HOMEWOOD MOUNTAIN PARTNERS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (LESSEE); CHRISTOPHER H. LEGALLET AND MARIE LEGALLET, TRUSTEES OF THE LEGALLET TRUST DATED JULY 7, 2000 AND AMENDED AND RESTATED IN 2009 (APPLICANT): Consider waiver of rent, penalty, and interest; acceptance of a quitclaim deed for Lease No. PRC 9295.1, a General Lease - Recreational Use;

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and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6956 Pomin Avenue, near Tahoma, Placer County; for two existing mooring buoys and one freshwater intake pipeline. CEQA Consideration: categorical exemption. (PRC 9295.1; RA# 23217)(A 1; S 1) (Staff: S. Avila)

- C    11    HAROLD BERNARD HUMMELT; ELIZABETH JANE ELLIOTT; STEPHEN HUMMELT, TRUSTEE OF THE HUMMELT FAMILY TRUST DATED DECEMBER 12, 2000; AND BERNARD PHILIP HUMMELT AND/OR BARBARA MARY HUMMELT, TRUSTEES, OR SUCCESSOR IN TRUST, UNDER THE BERNARD PHILIP HUMMELT TRUST, DATED OCTOBER 1, 1998, AS AMENDED AND RESTATED (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 660 Olympic Drive, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 7948.1; RA# 27217) (A 1; S 1) (Staff: J. Toy)
- C    12    ARNOLD G. HUNN AND SANDRA A. HUNN, AS TRUSTEES OF THE HUNN FAMILY REVOCABLE TRUST, ESTABLISHED SEPTEMBER 2, 2005. (LESSEE): Consider revision of rent to Lease No. PRC 4782.1, a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 10595 Bryne Ave, near Los Molinos, Tehama County; for an existing dock and appurtenant facilities. CEQA Consideration: not a project. (PRC 4782.1) (A 3; S 4) (Staff: S. Evans)
- C    13    ROBERT E. JAMES, III AND MINDY E. COOPER-SMITH, TRUSTEES, COOPER-SMITH/JAMES 2001 FAMILY TRUST, DATED 4/21/2001 (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3230 West Lake Boulevard, near Homewood, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption.(PRC 7690.1; RA# 28117) (A 1; S 1) (Staff: J. Toy)
- C    14    RONALD L. JENNY AND JANE E. JENNY, CO-TRUSTEES OF THE JENNY FAMILY TRUST DATED MARCH 4, 2002 (ASSIGNOR); THE LITTLE RED HOUSE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (ASSIGNEE): Consider application for the assignment, amendment of lease, and revision of rent to Lease No. PRC 4954.1, General Lease -

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Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5360 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: not a project. (PRC 4954.1; RA# 29217) (A 1; S 1) (Staff: M.J. Columbus)

C 15 DAVID MARK JONSSON AND JOYCE SPILMAN JONSSON, TRUSTEES OF THE JONSSON FAMILY TRUST OF APRIL 1, 1994 (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 221 Drum Road, near Meeks Bay, El Dorado County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (PRC 7182.1; RA# 07417) (A 5; S 1) (Staff: S. Avila)

C 16 JANICE V. LAWLER, WILLIAM H. LAWLER, III, JANICE KATHLEEN LA GRANDEUR, KENNETH PATRICK LAWLER, DIANE RUTH LAWLER AND GORDON BRUCE LAWLER (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4838 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier with a boat slip, boat lift, and two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 3616.1, RA# 35314) (A 1; S 1) (Staff: M.J. Columbus)

C 17 STEVEN L. MERRILL, TRUSTEE OF THE STEVEN L. MERRILL LIVING TRUST U/A/D 4/17/95, AND JACQUELINE MERRILL, TRUSTEE OF THE JACQUELINE MERRILL 2006 TRUST UNDER TRUST AGREEMENT DATED FEBRUARY 17, 2006, AS AMENDED (LESSOR); STEVEN L. MERRILL, TRUSTEE OF THE STEVEN L. MERRILL LIVING TRUST U/A/D 4/17/95, NATALIE ROLLHAUS BURTON, AND PHILIP EDWARD ROLLHAUS III (APPLICANT): Consider continuation of rent and an application for the amendment of Lease No. PRC 2666.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2000 North Lake Boulevard, near Tahoe City, Placer County; for an existing pier, boat lift, boathouse, two mooring buoys, and one unattached piling. CEQA Consideration: not projects. (PRC 2666.1; RA# 28517) (A 1; S 1) (Staff: J. Toy)

C 18 JOHN F. MURRAY AND DIANE LAIN JOHNSON MURRAY, TRUSTEES OF THE MURRAY FAMILY REVOCABLE TRUST, UNDER

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- AGREEMENT DATED MAY 27, 1988 (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4750 North Lake Boulevard, near Carnelian Bay, Placer County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (PRC 8017.1; RA# 27917) (A 1; S 1) (Staff: S. Avila)
- C 19 PACIFIC GAS AND ELECTRIC COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in the Feather River, adjacent to Sutter County Assessor's Parcel Number 10-270-007 and Yuba County Assessor's Parcel Number 018-040-003, near Yuba City, Sutter County and Marysville, Yuba County; for existing electric transmission lines and related facilities. CEQA Consideration: Mitigated Negative Declaration, adopted by California Public Utilities Commission, State Clearinghouse No. 2017042051. (W 27155; RA# 13817) (A 3; S 4) (Staff: M. Schroeder)
- C 20 PAUL A. PEARSON AND PATRICIA L. PEARSON, TRUSTEES OF THE PAUL A. PEARSON AND PATRICIA L. PEARSON FAMILY TRUST U/T/A/ DATED 11/25/85 (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4210 and 4220 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier and boathouse with boat lift previously authorized by the Commission, and for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 5632.1; RA# 04517) (A 1; S 1) (Staff: S. Avila)
- C 21 CHRISTOPHER DAVID PLONA AND ANNE L. HOFFMAN, AS TRUSTEES OF THE PLONA HOFFMAN TRUST, UNDER AGREEMENT DATED 13 FEBRUARY 2007, AND WILLIAM M. JOHNSON, JR. (LESSEE); CHRISTOPHER DAVID PLONA AND ANNE L. HOFFMAN, AS TRUSTEES OF THE PLONA HOFFMAN TRUST, UNDER AGREEMENT DATED 13 FEBRUARY 2007, AND JOHN WALKER AND MARIAN B. WALKER (APPLICANT): Consider termination of Lease No. PRC 8217.1, a General Lease - Recreational Use, and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8632 and 8634 Brockway Vista Avenue, Kings Beach, Placer County; for an existing

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joint-use pier, boat lift, and four mooring buoys.  
CEQA Consideration: categorical exemption. (PRC  
8217.1; RA# 03116) (A 1; S 1) (Staff: M.J. Columbus)

- C 22 PS TAHOE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; WILLIAM E. HAGLER AND JEAN E. HAGLER, AS TRUSTEES OF THE HAGLER TRUST DATED JANUARY 28, 1975, FOR THE BENEFIT OF WILLIAM E. HAGLER AND JEAN E. HAGLER, JACK B. HAGLER AND ELIZABETH KOHL HAGLER, AS TRUSTEES OF THE HAGLER FAMILY TRUST UAD AUGUST 21, 2007; RICHARD W. HAGLER; AND KATHRYN HAGLER TAYLOR (LESSEE/ASSIGNOR); TAYLOR FAMILY LAKE TAHOE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (ASSIGNEE): Consider application for the assignment, amendment of lease, and revision of rent to Lease No. PRC 6120.1, General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8559 and 8565 Meeks Bay Avenue, near Tahoma, El Dorado County; for an existing joint-use pier and four mooring buoys. CEQA Consideration: not projects. (PRC 6120.1; RA# 26216) (A 5; S 1) (Staff: M.J. Columbus)
- C 23 PAMELA W. RAFANELLI, TRUSTEE OF THE PAMELA W. RAFANELLI REVOCABLE TRUST DATED AUGUST 9, 2005 (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3970 North Lake Boulevard, near Carnelian Bay, Placer County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 27173; RA# 26217) (A 1; S 1) (Staff: S. Avila)
- C 24 MICHAEL E. RANEY, TRUSTEE OF THE MICHAEL E. RANEY LIVING TRUST DATED DECEMBER 3, 2010 (LESSEE); DRUM LODGE LLC, A DELAWARE LIMITED LIABILITY COMPANY (APPLICANT): Consider waiver of rent, penalty, and interest; acceptance of a quitclaim deed for Lease No. PRC 4266.1, a General Lease - Recreational Use; and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7701 State Highway 89, near Meeks Bay, El Dorado County; for an existing pier, marine rail, three freshwater intake pipelines, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4266.1; RA# 18117) (A 5; S 1) (Staff: S. Avila)

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- C 25 ROCKY RIDGE PROPERTIES OWNERS ASSOCIATION (LESSEE): Consider revision of rent to Lease No. PRC 3955.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 180 Sierra Vista Road, near Tahoe City, Placer County; for an existing pier, boat hoist, 31 mooring buoys, and two marker buoys. CEQA Consideration: not a project. (PRC 3955.1) (A 1; S 1) (Staff: J. Toy)
- C 26 ALFRED S. SULLIVAN, SUCCESSOR TRUSTEE OF THE ALLEN FAMILY TRUST, UNDER INSTRUMENT DATED DECEMBER 29, 1995, AS AMENDED NOVEMBER 9, 2009 (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5472 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boathouse, sundeck with stairs, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4183.1; RA# 20117) (A 1; S 1) (Staff: S. Avila)
- C 27 JAMES M. TALCOTT AND PATRICIA DYKEMA, TRUSTEES OF THE JAMES M. TALCOTT REVOCABLE TRUST, DATED MARCH 16, 2006 (LESSEE): Consider revision of rent to Lease No. PRC 7214.1, a General Lease - Recreational Use, of sovereign land located in the Napa River, adjacent to 1576 Milton Road, near Napa, Napa County; for an existing dock and appurtenant facilities. CEQA Consideration: not a project. (PRC 7214.1) (A 4; S 3) (Staff: S. Evans)
- C 28 TIDAL CANAL HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider an application for a General Lease - Recreational Use of sovereign land located in the Napa River, adjacent to 1998 Milton Road, near Napa, Napa County; for an existing boat ramp, boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (PRC 7041.1; RA# 19217) (A 4; S 3) (Staff: S. Avila)
- C 29 TOLOWA DEE-NI' NATION (LESSEE): Consider application for an amendment to Lease No. PRC 9408.1, a General Lease - Other, of sovereign land located in the Pacific Ocean, offshore of the Smith River, near Prince Island (Assessor's Parcel Number 102-010-12), Del Norte County; for the proposed water quality monitoring buoy project. CEQA Consideration: categorical exemption. (PRC 9408.1; RA# 25517) (A 2; S 2) (Staff: M. Schroeder)

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- C 30 C. HENRY VEIT, TRUSTEE OF THE WARREN H. SICHEL TESTAMENTARY TRUST DATED AUGUST 11, 1993 (LESSEE): Consider revision of rent to Lease No. PRC 5122.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4190 Ferguson Avenue, near Carnelian Bay, Placer County; for an existing pier, boathouse with boat lift, sundeck with stairs, boat hoist, and two mooring buoys. CEQA Consideration: not a project. (PRC 5122.1) (A 1; S 1) (Staff: M. Schroeder)
- C 31 DOUGLAS G. WHITE AND PAMELA S. WHITE (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2155 Cascade Road, near South Lake Tahoe, El Dorado County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 8058.1; RA# 26317) (A 5; S 1) (Staff: S. Avila)
- C 32 YUBA COUNTY WATER AGENCY (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Yuba River, adjacent to Assessor's Parcel Numbers 005-290-005, 005-290-008, 006-170-122, and 006-180-027, near Browns Valley, Yuba County; for the placement and maintenance of woody material for the rehabilitation and restoration of steelhead, spring-run, and fall-run Chinook salmon rearing habitat. CEQA Consideration: Mitigated Negative Declaration, adopted by the Yuba County Water Authority, State Clearinghouse No. 2018042077, and adoption of a Mitigation Monitoring Program. (W 27182; RA# 33717) (A 3; S 4)(Staff: M. Schroeder)
- BAY/DELTA REGION
- C 33 CHRISTOPHER ALBINSON, TRUSTEE AND DEBRA ALBINSON, TRUSTEE OF THE ALBINSON FAMILY TRUST DATED NOVEMBER 22, 2006 (APPLICANT): Consider application for a General Lease - Residential, Recreational, and Protective Structure Use, of sovereign land located in Corte Madera Creek, adjacent to 18 Boardwalk One, near Larkspur, Marin County; for a portion of an existing residence, deck, dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (W 27095; RA# 35117) (A 10; S 2) (Staff: V. Caldwell)

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- C 34 DAVID M. ANDERS AND MARK A. ZAMPELLA (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 4455 Garden Highway, near Sacramento, Sacramento County; for construction, use and maintenance of a boat dock and appurtenant facilities; and existing bank protection not previously authorized by the Commission. CEQA Consideration: categorical exemptions. (W 27158; RA# 13517) (A 7; S 6) (Staff: J. Holt)
- C 35 DENISE ANTON, AS TRUSTEE OF THE DENISE ANTON 2018 TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 31 Boardwalk One, near Larkspur, Marin County; for a portion of an existing deck, dock, and appurtenant facilities. CEQA Consideration: categorical exemption. (W 27104; RA# 20817)(A 10; S 2) (Staff: V. Caldwell)
- C 36 ASSOCIATION OF SURFING PROFESSIONALS, LLC (APPLICANT): Consider application for a General Lease - Other, of sovereign land located in the Pacific Ocean, near Pillar Point, San Mateo County; for a professional surfing contest known as Mavericks Challenge. CEQA Consideration: categorical exemption. (W 27060; RA# 15917) (A 22; S 13) (Staff: A. Franzoia)
- C 37 DANIEL BAKER (LESSEE); DARREN B. MOREHEAD AND COLEEN L. MOREHEAD, TRUSTEES OF THE DARREN B. AND COLEEN L. MOREHEAD REVOCABLE TRUST DATED SEPTEMBER 4, 2007 (APPLICANT): Consider termination of Lease No. 8732.1, a General Lease - Recreational and Protective Structure Use; and application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 6735 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection previously authorized by the Commission, and a boat dock cover not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 8732.1; RA# 19517) (A 7; S 6)(Staff: G. Asimakopoulos)

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- C 38 WILLIAM BARKES AND WENDY BARKES, TRUSTEES OF THE BARKES FAMILY TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Petaluma River, adjacent to 110 Beattie Avenue, near Novato, Marin County; for an existing pier and boathouse. CEQA Consideration: categorical exemption. (PRC 4548.1; RA# 10817) (A 10; S 2) (Staff: D. Tutov)
- C 39 LOLA LEE BAUMANN, AS TRUSTEE, OR HER SUCCESSORS AS TRUSTEES, OF THE LOLA LEE BAUMANN LIVING TRUST AGREEMENT DATED MAY 31, 2002 (LESSEE); PAUL WILLIAMS, TRUSTEE OF THE PAUL WILLIAMS FAMILY TRUST DATED SEPTEMBER 30, 2014 (APPLICANT): Consider termination of Lease No. PRC 9299.1, 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 the Sacramento River, adjacent to 205 Edgewater Drive, city of Rio Vista, Solano County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 9299.1; RA# 20517) (A 11; S 3) (Staff: G. Asimakopoulos)
- C 40 BURLINGAME BAY ASSOCIATES, (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 4687.1, a General Lease - Commercial Use, of filled and unfilled sovereign land located in San Francisco Bay, near Burlingame, San Mateo County; for a restaurant, parking lot, lagoon, footbridge, pedestrian path, landscaping, and shoreline protection. CEQA Consideration: not projects. (PRC 4687.1) (A 22; S 13) (Staff: A. Franzoia)
- C 41 BURLINGAME BAY LLC (LESSEE/ASSIGNOR); EW-PG AIRPORT OWNER, LLC (ASSIGNEE); AND CLNC CREDIT 1, LLC (SECURED PARTY-LENDER): Consider application for the termination of an agreement and consent to encumbrancing of lease, assignment of lease, amendment of lease, and agreement and consent to encumbrancing of Lease No. PRC 6127.1, General Lease - Commercial Use, of filled and partially filled tidelands of San Francisco Bay, adjacent to the Sanchez Channel and Burlingame Lagoon, Burlingame, San Mateo County; for landscaping, public access, parking facilities, bicycle paths, and other improvements, including

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- existing landscaped segment of the San Francisco Bay Trail. CEQA Consideration: not a project. (PRC 6127.1; RA# 20614; RA# 34617) (A 22; S 13) (Staff: A. Franzoia)
- C    42    STEPHANIE J. BURNS AND JEFFREY DONALD FOOTE (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 24 Boardwalk One, near Larkspur, Marin County; for a portion of an existing deck, dock, and appurtenant facilities. CEQA Consideration: categorical exemption. (W 27099; RA# 21817) (A 10; S 2) (Staff: V. Caldwell)
- C    43    CALIFORNIA LAND AND WATER COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 7727.1, a General Lease - Recreational Use, of sovereign land located in the Montezuma Slough, adjacent to APN 0046-200-010, near Suisun City, Solano County; for an existing boat dock, appurtenant facilities and covered shed. CEQA Consideration: not a project. (PRC 7727.1) (A 11; S 3) (Staff: S. Evans)
- C    44    CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider approval of the 2018 Category 2 Sandy Beach Benchmark rate for sovereign land in the Mare Island Strait, near Vallejo, Solano County. CEQA Consideration: not a project. (W 27176) (A 14; S 3) (Staff: N. Lavoie)
- C    45    STEPHEN E. CLARK AND ELIZABETH A. CLARK, TRUSTEES OF THE STEPHEN E. CLARK AND ELIZABETH A. CLARK 2008 JOINT TRUST (APPLICANT): Consider application for a General Lease - Residential and Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 29 Boardwalk One, near Larkspur, Marin County; for portions of an existing residence, deck, dock, and appurtenant facilities. CEQA Consideration: categorical exemption. (W 27102; RA# 21417) (A 10; S 2) (Staff: V. Caldwell)
- C    46    VICTOR DALLARI, JR. AND SUSAN BOYLES (LESSEE); ANTHONY JOSEPH VIVILACQUA (APPLICANT): Consider acceptance of a quitclaim deed for Lease No. PRC 7027.1, a General Lease - Recreational and Protective Structure Use, and an application for a General Lease

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- Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 2261 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 7027.1; RA# 08917) (A 7; S 6) (Staff: J. Holt)
- C 47 MASSOUD DEHDASHTI, TRUSTEE OF THE MASSOUD DEHDASHTI TRUST DATED JANUARY 23, 2013 AND BETSY BABSON, TRUSTEE OF THE BETSY BABSON TRUST DATED JANUARY 23, 2013 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 28 Lucky Drive, near Greenbrae, Marin County; for an existing dock and ramp. CEQA Consideration: categorical exemption. (W 27091; RA# 23817) (A 10; S 2) (Staff: V. Caldwell)
- C 48 ABEL JAIME DIAZ, MARGARITA TECUN RAMOS, AND SILVESTRE ALMICAR DIAZ CHAY (APPLICANT): Consider application for a General Lease - Residential and Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 10 Lucky Drive, near Greenbrae, Marin County; for an existing residence, deck, storage, dock, ramp, and appurtenant facilities. CEQA Consideration: categorical exemption. (W 27089; RA# 25617) (A 10; S 2) (Staff: V. Caldwell)
- C 49 BRIAN DURWOOD (APPLICANT): Consider application for a General Lease -Recreational and Protective Structure Use, of sovereign land located in Corte Madera Creek, adjacent to 22 Lucky Drive, near Greenbrae, Marin County; for a portion of an existing deck, dock, appurtenant facilities, and retaining wall. CEQA Consideration: categorical exemption. (W 27090; RA# 23617) (A 10; S 2) (Staff: V. Caldwell)
- C 50 GERRIT A. DYKE AND KRISTEN M. DYKE, TRUSTEES OF THE GERRIT A. DYKE AND KRISTEN MARIE DYKE REVOCABLE FAMILY TRUST DATED OCTOBER 31, 2013 (APPLICANT): Consider an application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Calaveras River, adjacent to 4137 Yacht Harbor Drive, near Stockton, San Joaquin County; for an existing boat dock and

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- walkway previously authorized by the Commission; and a boat lift, gangway, four pilings, electric and water utility outlets, and bulkhead protection not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 4607.1; RA# 10517) (A 13; S 5) (Staff: G. Asimakopoulos)
- C 51 RAYMOND DALE FRIBERG AND LINDA FRIBERG, TRUSTEES OF THE FRIBERG FAMILY 2016 REVOCABLE TRUST (APPLICANT): Consider application for a General Lease - Residential and Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 27 Boardwalk One, near Larkspur, Marin County; for a portion of an existing residence, deck, docks, and appurtenant facilities. CEQA Consideration: categorical exemption. (W 27100; RA# 22217) (A 10; S 2) (Staff: V. Caldwell)
- C 52 JOEL F. GIVEN AND MOLLY M. GIVEN (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 21 Boardwalk One, Larkspur, Marin County; for a portion of an existing deck, docks, and appurtenant facilities. CEQA Consideration: categorical exemption. (PRC 7285.1; RA# 21517) (A 10; S 2) (Staff: V. Caldwell)
- C 53 ANTHONY HOWARD GOOD, TRUSTEE OF THE ANTHONY HOWARD GOOD 1999 REVOCABLE TRUST AND MARIA HELENA DEL LLANO GOOD, TRUSTEE OF THE MARIA HELENA DEL LLANO GOOD 1999 REVOCABLE TRUST (APPLICANT): Consider application for a General Lease - Residential, Recreational, and Protective Structure Use, of sovereign land located in the Corte Madera Creek, adjacent to 23 Boardwalk One, near Larkspur, Marin County; for a portion of an existing residence, deck, dock, appurtenant facilities, and retaining wall. CEQA Consideration: categorical exemption. (W 27098; RA# 18617) (A 10; S 2) (Staff: V. Caldwell)
- C 54 JOHN GRANATIR, DBA BLUE WATERS KAYAKING COMPANY (APPLICANT): Consider application for a General Lease - Commercial Use, of sovereign land located in Tomales Bay, adjacent to 19225 State Route 1, near Marshall, Marin County; for an existing mooring buoy not previously authorized by the Commission. CEQA

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- Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (W 27166; RA# 25215) (A 10; S 2) (Staff: D. Tutov)
- C 55 LEE HENRY GREENBERG, TRUSTEE OF THE LEE HENRY GREENBERG REVOCABLE TRUST (APPLICANT): Consider application for a General Lease - Residential and Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 14 Lucky Drive, near Greenbrae, Marin County; for an existing residence, deck, docks, and appurtenant facilities. CEQA Consideration: categorical exemption.(PRC 8031.1; RA# 24617) (A 10; S 2) (Staff: V. Caldwell)
- C 56 LEE HENRY GREENBERG, TRUSTEE OF THE LEE HENRY GREENBERG REVOCABLE TRUST (APPLICANT): Consider application for a General Lease -Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 18 Lucky Drive, near Greenbrae, Marin County; for an existing deck, dock, and appurtenant facilities. CEQA Consideration: categorical exemption.(PRC 8032.1; RA# 24717) (A 10; S 2) (Staff: V. Caldwell)
- C 57 HIRO R. KAGIYAMA (LESSEE/ASSIGNOR); THOMAS H. SCHROEDER AND KAREN M. SCHROEDER (APPLICANT/ASSIGNEE): Consider waiver of penalty and interest and an application for the assignment of Lease No. PRC 9309.1, General Lease - Recreational and Residential Use, of sovereign land located in Mare Island Strait, adjacent to 18 Sandy Beach Road, near Vallejo, Solano County; for a portion of an existing residence, deck, and appurtenant facilities. CEQA Consideration: not projects. (PRC 9309.1; RA# 20017) (A 14; S 3) (Staff: V. Caldwell)
- C 58 KNOB HILL MINES INC. (LESSEE): Consider revision of rent to Lease No. PRC 3323.1, a General Lease - Right-of-Way Use, of sovereign land located in Lindsey Slough, adjacent to Assessor's Parcel Numbers 0042-180-320 and 0042-180-110, near Rio Vista, Solano County; for an existing bridge and telecommunications cable in conduit. CEQA Consideration: not a project. (PRC 3323.1) (A 11; S 3) (Staff: S. Evans)

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- C 59 CHRISTOPHER AHERN LEE, TRUSTEE OF THE FOX-LEE LIVING TRUST DATED JULY 10, 1998 (LESSEE): Consider revision of rent to Lease No. PRC 6035.1, a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 13760 Highway 160, near Walnut Grove, Sacramento County; for an existing boat dock and appurtenant facilities. CEQA Consideration: not a project. (PRC 6035.1) (A 11; S 3) (Staff: S. Evans)
- C 60 ANDREW MAJIT AND ANSLEY MAJIT (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 35 Boardwalk One, near Larkspur, Marin County; for a portion of an existing deck and dock. CEQA Consideration: categorical exemption. (W 27108; RA# 22617) (A 10; S 2) (Staff: V. Caldwell)
- C 61 JOSEPH D. MURRAY, AS TRUSTEE OF THE JOSEPH D. MURRAY AND MARTHA M. MURRAY REVOCABLE LIVING TRUST (APPLICANT): Consider application for a General Lease - Residential and Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 34 Lucky Drive, near Greenbrae, Marin County; for a portion of an existing residence, deck, and dock. CEQA Consideration: categorical exemption. (W 27093; RA# 29517) (A 10; S 2) (Staff: V. Caldwell)
- C 62 GREGORY D. NACCO AND JULIANNE NACCO, TRUSTEES, NACCO 2009 TRUST DATED JUNE 2, 2009 (APPLICANT): Consider application for a General Lease - Residential and Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 30 Boardwalk One, near Larkspur, Marin County; for portions of an existing residence, storage, and deck; dock and appurtenant facilities. CEQA Consideration: categorical exemption. (W 27103; RA# 22517) (A 10; S 2) (Staff: V. Caldwell)
- C 63 MARTHA NEVAI (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 6961 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank

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- protection. CEQA Consideration: categorical exemption. (PRC 8636.1; RA# 12215) (A 7; S 6) (Staff: J. Holt)
- C 64 DAVID R. PECK, TRUSTEE OF THE DAVID R. PECK TRUST (APPLICANT): Consider application for a General Lease - Residential and Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 30 Lucky Drive, near Greenbrae, Marin County; for a portion of an existing residence with walkway, dock, ramp, boat lift, and float. CEQA Consideration: categorical exemption. (W 27092; RA# 28317) (A 10; S 2) (Staff: V. Caldwell)
- C 65 LINDA K. RIKLI (APPLICANT): Consider application for a General Lease - Residential and Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 32 Boardwalk One, near Larkspur, Marin County; for a portion of an existing residence, deck, dock and appurtenant facilities. CEQA Consideration: categorical exemption. (W 27105; RA# 22417) (A 10; S 2) (Staff: V. Caldwell)
- C 66 DONALD L. RISING, STEVEN A. RISING, AND DARLENE RISING KLUBER (ASSIGNOR); JADE M. ZATKOVICH AND STEFEN PETER ENGLISH (ASSIGNEE): Consider application for an assignment of Lease No. PRC 9308.1, a General Lease - Recreational and Residential Use, of sovereign land located in Mare Island Strait, adjacent to 40 Sandy Beach Road, near Vallejo, Solano County; for portion of an existing residence, deck, and appurtenant facilities. CEQA Consideration: not a project. (PRC 9308.1; RA# 00218) (A 14; S 3) (Staff: D. Tutov)
- C 67 RICHARD A. RUBENSTEIN AND CHRISTINA ROSSETTI MCARTHUR, TRUSTEES OF THE RUBENSTEIN/MCARTHUR FAMILY TRUST, DATED JANUARY 8, 2003 (APPLICANT): Consider application for a General Lease -Recreational and Protective Structure Use, of sovereign land located in the Corte Madera Creek, adjacent to 17 Boardwalk One, near Larkspur, Marin County; for a portion of a deck, dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (W 27094; RA# 22717) (A 10; S 2) (Staff: V. Caldwell)
- C 68 DEANISE STONE, TRUSTEE OF THE DEANISE STONE TRUST U/A/D/ MAY 10, 2018 (APPLICANT): Consider application

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for a General Lease - Residential and Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 20 Boardwalk One, near Larkspur, Marin County; for a portion of an existing residence, deck, dock, and appurtenant facilities. CEQA Consideration: categorical exemption. (W 27096; RA# 22117) (A 10; S 2) (Staff: V. Caldwell)

C 69 THOMAS G. STUBBS (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Corte Madera Creek, adjacent to 19 Boardwalk One, near Larkspur, Marin County; for a dock, ramp, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 5321.1; RA# 21917) (A 10; S 2) (Staff: V. Caldwell)

C 70 TIFFANY ANN THURMOND (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Corte Madera Creek, adjacent to 24 Lucky Drive, near Greenbrae, Marin County; for an existing deck, pier, dock, appurtenant facilities, and retaining wall. CEQA Consideration: categorical exemption. (PRC 8049.1; RA# 19117) (A 10; S 2) (Staff: V. Caldwell)

C 71 PAUL B. TIETJEN & LANA T. TIETJEN, TRUSTEES OF THE PAUL B. TIETJEN AND LANA T. TIETJEN DECLARATION OF TRUST DATED AUGUST 6, 2002; AND HOWARD A. COOPER (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 555 and 575 Larkspur Plaza Drive, Larkspur, Marin County; for an existing boat dock, pier, and appurtenant facilities. CEQA Consideration: categorical exemption. (PRC 4674.1; RA# 25817) (A 10; S 2) (Staff: J. Holt)

C 72 UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGMENT (APPLICANT): Consider termination of a General Lease - Public Agency Use, Lease No. PRC 8041.9, and an application for a General Lease - Public Agency Use, of sovereign land along Laguna Creek and Lost Slough within the Cosumnes River Preserve, located north and south of Twin Cities Road, near Galt, Sacramento County; for resource protection, conservation, and management of open space and

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- wildlife habitat. CEQA Consideration: categorical exemption. (PRC 8041.9; RA# 10417) (A 9; S 5) (Staff: G. Asimakopoulos)
- C 73 U.S. FISH AND WILDLIFE SERVICE (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Stanislaus River, adjacent to Assessor's Parcel Numbers 006-080-064, 006-080-089, and 006-080-088, near Oakdale, Stanislaus County; for the placement and maintenance of gravel and riparian vegetation for the rehabilitation and restoration of Chinook salmon and California Central Valley steelhead spawning and rearing habitat, excavation and reuse of perched floodplain sediments, gravel extraction for onsite use, and grading. CEQA Consideration: categorical exemption. (W 27174; RA# 25917) (A 12; S 8) (Staff: J. Holt)
- C 74 VINTAGE PETROLEUM, LLC (LESSEE): Consider revision of rent to Lease No. PRC 8796.1, a General Lease - Right-of-Way Use, 2.46 acres, more or less, of sovereign land in the San Joaquin River, adjacent to Sherman and Bradford Islands, Sacramento and Contra Costa Counties; for a natural gas pipeline. CEQA Consideration: not a project. (PRC 8796.1) (A 11; S 3, 7) (Staff: D. Tutov)
- C 75 KATHRYN WASHBURN, TRUSTEE OF THE KATHRYN WASHBURN REVOCABLE TRUST DATED NOVEMBER 13, 1992 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 28 Boardwalk One, near Larkspur, Marin County; for a portion of an existing deck with boat hoist, dock, and appurtenant facilities. CEQA Consideration: categorical exemption. (W 27101; RA# 20717) (A 10; S 2) (Staff: V. Caldwell)
- C 76 KATHRYN WASHBURN AS TRUSTEE OF THE KATHRYN WASHBURN REVOCABLE TRUST DATED NOVEMBER 13, 1992 (APPLICANT): Consider application for a General Lease - Residential and Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 33 Boardwalk One, near Larkspur, Marin County; for a portion of an existing residence, deck, dock, and appurtenant facilities. CEQA Consideration:

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categorical exemption. (W 27106; RA# 20617) (A 10; S 2) (Staff: V. Caldwell)

- C 77 WALTER G. WESTER, TRUSTEE OF THE WALTER G. WESTER TRUST DATED DECEMBER 30, 2014 (APPLICANT): Consider application for a General Lease - Residential, Recreational, and Protective Structure Use, of sovereign land located in Corte Madera Creek, adjacent to 22 Boardwalk One, near Larkspur, Marin County; for a portion of an existing residence, deck, dock, appurtenant facilities, and retaining wall. CEQA Consideration: categorical exemption. (W 27097; RA# 19617)(A 10; S 2) (Staff: V. Caldwell)

CENTRAL/SOUTHERN REGION

- C 78 6525 POINT LECHUZA DRIVE, LLC (ASSIGNOR); Jeffrey Fish (ASSIGNEE): Consider application for the assignment of Lease No. PRC 6470.1, a General Lease - Protective Structure Use, of sovereign land located in the Pacific Ocean, adjacent to 6525 Point Lechuza Drive, Malibu, Los Angeles County; for an existing rock revetment. CEQA Consideration: not a project. (PRC 6470.1; RA#30617) (A 50; S 27) (Staff: L. Pino)
- C 79 ANTHONY BARTOLI AND ROSEMARY BARTOLI AS TRUSTEES OF THE "ANTHONY BARTOLI AND ROSEMARY BARTOLI 2001 TRUST" DATED APRIL 4, 2001 (LESSEE): Consider amendment of Lease No. PRC 3562.1, a General Lease - Recreational Use, of sovereign land located in Huntington Harbour, adjacent to 16452 Malden Circle, Huntington Beach, Orange County; to remove and replace a boat dock and access ramp. CEQA Consideration: categorical exemption.(PRC 3562.1; RA# 26617) (A 72; S 34) (Staff: K. Connor)
- C 80 BEACH EROSION AUTHORITY FOR CLEAN OCEANS AND NOURISHMENT (BEACON) (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in Goleta Bay, near Goleta, Santa Barbara County; for monitoring and maintenance of 212 existing granite anchor columns used for the Goleta Bay Kelp Anchor Demonstration Project. CEQA Consideration: categorical exemption. (PRC 9032.9; RA# 17017) (A 37; S 19) (Staff: K. Connor)

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- C 81 JOSEPH R. BRAIN, TRUSTEE OF THE ROBERT E. BRAIN PERSONAL RESIDENCE TRUST DATED JUNE 30, 1993; JOSEPH R. BRAIN, TRUSTEE OF THE DIXIE L. BRAIN PERSONAL RESIDENCE TRUST DATED JULY 8, 1993 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Midway Channel of Huntington Harbour, adjacent to 3561 Courtside Circle, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 27006; RA# 23517) (A 72; S 34)(Staff: K. Connor)
- C 82 CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER (LESSEE): Consider application for an amendment to Lease No. PRC 9193.9, a General Lease - Public Agency Use, of sovereign land located on Owens Lake, Inyo County; for the installation and use of three additional piezometers. CEQA Consideration: categorical exemption. (PRC 9193.9; RA# 33117) (A 26; S 8) (Staff: D. Simpkin)
- C 83 COLORADO RIVIERA COMMUNITY ASSOCIATION (APPLICANT): Consider application for a General Lease - Other, of sovereign land located in the Colorado River, Blythe, Riverside County; for the repair, use, and maintenance of an existing earthen dam not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 27149; RA# 10717) (A 56; S 28) (Staff: R. Collins)
- C 84 RON DEQUILLETES AND DEBRA DEQUILLETES (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1236 Beach Drive, Needles, San Bernardino County; for use and maintenance of an existing raised beach area with rock retaining wall and shade umbrella, concrete and rock stairway, water pipeline, and riprap bankline not previously authorized by the Commission; and the construction, use, and maintenance of an aluminum gangway with railing, and a floating walkway and boat dock. CEQA Consideration: categorical exemptions. (W 27139; RA# 08617) (A 33; S 16) (Staff: R. Collins)

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- C    85    DOROTHY VIRGINIA JOHNSON AND JULIE ANNE JOHNSON, AS CO-TRUSTEES OF THE THEODORE RICHARD JOHNSON FAMILY TRUST, TRUST A (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16672 Coral Cay Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 27023; RA# 23017) (A 72; S 34) (Staff: K. Connor)
- C    86    GLENN C. MCELROY AND PEARL MCELROY, TRUSTEES OF THE GLENN C. MCELROY FAMILY TRUST DATED OCTOBER 14, 1992 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16670 Coral Cay Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 27024; RA# 28817) (A 72; S 34) (Staff: K. Connor)
- C    87    MERCED COUNTY (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Merced River, near Cressey, Merced County; for the existing Santa Fe Drive bridge. CEQA Consideration: categorical exemption. (PRC 4175.9; RA# 25117) (A 21; S 12) (Staff: L. Pino)
- C    88    OCEAN SURF, LLC (LESSEE): Consider correction to prior authorization of revision of rent for Lease No. PRC 9067.1, a General Lease - Protective Structure Use, of sovereign land located in Pacific Ocean, adjacent to 24132 Malibu Road, Malibu, Los Angeles County; for an existing rock revetment and staircase. CEQA Consideration: not a project. (PRC 9067.1) (A 41; S 23) (Staff: L. Pino)
- C    89    PHILLIPS 66 COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 1449.1, a General Lease - Right-of-Way Use, of sovereign land located in the Pacific Ocean, near Oceano Dunes State Vehicular Recreation Area, San Luis Obispo County; for two outfall pipelines. CEQA Consideration: not a project. (PRC 1449.1) (A 35; S 17) (Staff: S. Evans)

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- C 90 JAMES M. POLLOCK, THOMAS F. DELANEY, III AND WHITTIER TRUST COMPANY, AS CO-TRUSTEES OF THE REILLY LEGACY TRUST D UAD MARCH 18, 2004 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16912 Coral Cay Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 27010; RA# 23717) (A 72; S 34) (Staff: K. Connor)
- C 91 REGENTS OF THE UNIVERSITY OF CALIFORNIA (APPLICANT): Consider application for a General Lease - Other, of sovereign land located in Big Fisherman Cove, Santa Catalina Island, Los Angeles County; for an experimental kelp research project. CEQA Consideration: categorical exemption. (W 27172; RA# 26017)(A 70; S 26) (Staff: D. Simpkin)
- C 92 SANTA BARBARA COUNTY FLOOD CONTROL DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Goleta Slough watershed and Pacific Ocean, adjacent to Goleta Beach County Park, Goleta, Santa Barbara County. CEQA Consideration: Subsequent Environmental Impact Report (EIR), adopted by the Santa Barbara County Flood Control District, State Clearinghouse No. 2000031092. (PRC 7763.9; RA# 19917)(A 37; S 19) (Staff: D. Simpkin)
- C 93 ALAN ZIMMER AND DIANA ZIMMER (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Colorado River, adjacent to 1240 Beach Drive, Needles, San Bernardino County; for an existing raised planter area with concrete retaining wall, concrete stairway with rock retaining wall, and riprap bankline not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 26822; RA# 18914) (A 33; S 16) (Staff: R. Collins)

SCHOOL LANDS

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- C 94 BROADWING COMMUNICATIONS, LLC, A WHOLLY-OWNED SUBSIDIARY OF CIII COMMUNICATIONS, LLC (LESSEE): Consider revision of rent to Lease No. PRC 8047.2, a General Lease - Right-of-Way Use, of State-owned school land and indemnity school land located in portions of Section 16, Township 8 North, Range 17 East; Tract 39 of Sections 29 and 32, Township 12 North, Range 20 East; and Section 36, Township 10 North, Range 19 East, SBM, near Homer, Goffs, and Essex, San Bernardino County; for an existing fiber optic cable. CEQA Consideration: not a project. (PRC 8047.2) (A 33; S 16) (Staff: J. Porter)
- C 95 CALPORTLAND COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State-owned school land located in Section 36, Township 10 North, Range 13 West, SBM, northwest of Rosamond, Kern County; for an existing unpaved access road not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 27171; RA# 25217) (A 36; S 16)(Staff: J. Porter)
- C 96 PACIFIC BELL (LESSEE): Consider revision of rent to Lease No. PRC 4829.2, a General Lease - Right-of-Way Use, of State-owned school land within a portion of Section 16, Township 34 North, Range 4 West, MDM, near O'Brien Mountain in the Shasta National Forest, Shasta County; for an existing aerial communication cable and wood poles. CEQA Consideration: not a project. (PRC 4829.2) (A 1; S 1) (Staff: S. Evans)
- C 97 PACIFIC GAS AND ELECTRIC COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State-owned school land located within a portion of Section 36, Township 32 North, Range 6 West, MDM, Shasta County, and a portion of Section 36, Township 33 North, Range 9 West, MDM, Trinity County, near Redding; for one electrical transmission line and one electrical distribution line. CEQA Consideration: categorical exemption. (PRC 383.2; RA# 29017) (A 1, 2; S 1, 2) (Staff: J. Porter)
- C 98 PACIFIC GAS AND ELECTRIC COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State-owned school land located

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within a portion of Section 16, Township 37 North, Range 3 East, MDM, north of Burney, Shasta County; for one electrical distribution line. CEQA Consideration: categorical exemption. (PRC 7265.2; RA# 28917) (A 1; S 1) (Staff: J. Porter)

MINERAL RESOURCES MANAGEMENT

- C 99 KINNETIC LABORATORIES, INC. (APPLICANT): Consider an application for a Non-Exclusive Geological Survey Permit on tide and submerged lands. CEQA Consideration: categorical exemption. (W 6005.190; RA# 30417) (A & S: Statewide) (Staff: R. B. Greenwood)
- C 100 MBC AQUATIC SCIENCES (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 6005.191; RA# 01718) (A & S: Statewide) (Staff: R. B. Greenwood)
- C 101 VULCAN LANDS, INC. (APPLICANT): Consider application for renewal of a mineral extraction lease for minerals, other than oil, gas, or geothermal resources, Assessor's Parcel Number 0419-051-20, containing approximately 160 acres of State 100 percent reserved mineral interest, school land, located within the S1/2 of NE1/4 and N1/2 of SE1/4 of Section 36, Township 8 North, Range 3 West, SBM, about 10 miles southwest of Barstow, San Bernardino County. CEQA Consideration: categorical exemption. (PRC 8253.2; RA# 27317) (A 33; S 16) (Staff: V. Perez)

MARINE ENVIRONMENTAL PROTECTION

- C 102 CALIFORNIA STATE LANDS COMMISSION: Consider approval of the proposed repeal of California Code of Regulations, Title 2, Division 3, Chapter 1, Article 5.1 - Marine Terminal Physical Security Regulations. CEQA Consideration: categorical exemption. (W 9777.106) (A & S: Statewide) (Staff: R. Varma, J. Fabel, C. Beckwith)

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ADMINISTRATION

- C 103 CALIFORNIA STATE LANDS COMMISSION: Request authority for the Executive Officer to solicit proposals for consultant services, negotiate a fair and reasonable price, and award and execute an agreement for preparation of a Lake Tahoe Rent Methodology Study. CEQA Consideration: not a project. (W 27088) (A 1, 5; S 1) (Staff: K. Forbes, C. Connor)
- C 104 CALIFORNIA STATE LANDS COMMISSION: Request authority for the Executive Officer to solicit proposals for consultant services, negotiate a fair and reasonable price, and award and execute a contract for maintenance dredging of the Batiquitos Lagoon and, enter into an interagency agreement to receive funds and recover staff costs for administering the contract and, as trustee to the Kapiloff Land Bank Fund, accept mitigation funds for the purpose of conducting maintenance dredging of the Batiquitos Lagoon in San Diego County. CEQA Consideration: categorical exemption. (PRC 7242.9) (A 76; S 36) (Staff: W. Hall, B. Johnson, K. Forbes)
- C 105 CALIFORNIA STATE LANDS COMMISSION: Consider granting authority for the Executive Officer to solicit bids, proposals for consultant services, negotiate a fair and reasonable price, and award and execute agreements for analysis of AB 691 (Chapter 592, Statutes of 2013) submissions. CEQA Consideration: not a project. (A & S: Statewide) (Staff: K. Forbes, M. Farnum)

LEGAL

- C 106 UNITED STATES DEPARTMENT OF THE ARMY (PARTY): Consider cession of concurrent criminal jurisdiction pursuant to Government Code section 126 and acceptance of retrocession of legislative jurisdiction pursuant to Government Code section 113 over lands at the Marine Ocean Terminal Concord, Contra Costa County. CEQA Consideration: not a project. (FJ 0107.1) (A 11, 14; S 3, 7) (Staff: P. Huber)

KAPILOFF LAND BANK TRUST ACQUISITIONS

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- C 107 CALIFORNIA STATE LANDS COMMISSION: Consider delegating authority to the Executive Officer or her designee to accept donations and make deposits to the Martins Beach subaccount of the Kapiloff Land Bank Fund. CEQA consideration: not a project. (W 26830) (A & S: Statewide) (Staff: C. Connor)

96

EXTERNAL AFFAIRS

GRANTED LANDS

- C 108 CITY OF ALAMEDA (TRUSTEE): Authorize filing a disclaimer of interest of sovereign title interests in the quiet-title action, Legacy Partners I Alameda II LLC v. City of Alameda et al., Alameda County Superior Court No. RG 18900047. CEQA Consideration: not a project (G 01-01) (A 18; S 9) (Staff: R. Boggiano, S. Scheiber)
- C 109 CITY OF LONG BEACH (TRUSTEE): Review a proposed tideland oil revenue expenditure in an amount not to exceed \$2,500,000 by the City of Long Beach for two capital improvement projects located on or adjacent to legislatively granted lands in the city of Long Beach, Los Angeles County. CEQA consideration: not a project. (G 05-03) (A 70; S 33) (Staff: M. Moser)
- C 110 SAN FRANCISCO PORT COMMISSION (TRUSTEE): Consider approval of determinations pursuant to Chapter 660, Statutes of 2007 (SB 815), Chapter 757, Statutes of 2012 (AB 2649) and Chapter 529, Statutes of 2016 (AB 2797), regarding the proposed development of Seawall Lot 332-1, bounded by Broadway, Front Street, and Vallejo Street, and located on legislatively granted lands in the city of San Francisco, San Francisco County. CEQA Consideration: not a project. (G 11-01) (A 17; S 11) (Staff: R. Boggiano, A. Kershen, S. Pemberton)

FEDERAL PUBLIC LAND CONVEYANCES PURSUANT TO CHAPTER 535, STATUTES OF 2017 (SB 50, ALLEN) - NO ITEMS

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V      INFORMATIONAL

111 CALIFORNIA STATE LANDS COMMISSION:  
 Legislative Report providing information and a  
 status update concerning state and federal  
 legislation relevant to the Commission. CEQA  
 consideration: not applicable.  
 (A & S: Statewide) (Staff: S. Pemberton)

VI     REGULAR CALENDAR 112-115

112 CALIFORNIA STATE LANDS COMMISSION  
 (INFORMATIONAL): Informational report on efforts  
 to overhaul the Commission's environmental  
 justice policy. CEQA Consideration: not  
 applicable. (A & S: Statewide)  
 (Staff: S. Pemberton)

43

113 PORT OF LONG BEACH (TRUSTEE): Informational  
 presentation by the Port of Long Beach. CEQA  
 Consideration: not applicable. (A 70; S 33)  
 (Staff: J. Lucchesi)

56

114 SCRIPPS INSTITUTION OF OCEANOGRAPHY  
 (INFORMATIONAL): Presentation by the Director  
 of the Scripps Institution of Oceanography on  
 its collaboration with conservation efforts  
 and industries to acquire scientific knowledge,  
 environmental stewardship, and economic growth  
 in California's blue economy. CEQA  
 Consideration: not applicable. (A & S: Statewide)  
 (Staff: J. Lucchesi)

68

115 CALIFORNIA STATE LANDS COMMISSION: Consider  
 a resolution to adopt and advance a vision for  
 California's coastal future, and direct staff  
 to take appropriate actions on behalf of the  
 Commission to affirm its commitment to the  
 protection of coastal habitats. CEQA  
 Consideration: not a project. (A & S: Statewide)  
 (Staff: M. Farnum, A. Newman)

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VII    PUBLIC COMMENT

113

VIII   COMMISSIONERS' COMMENTS

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IX CLOSED SESSION: AT ANY TIME DURING THE MEETING  
THE COMMISSION MAY MEET IN A SESSION CLOSED TO  
THE PUBLIC TO CONSIDER THE MATTERS LISTED  
BELOW PURSUANT TO GOVERNMENT CODE SECTION 11126,  
PART OF THE BAGLEY-KEENE OPEN MEETING ACT: 127

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 Coastkeeper Alliance, California

Coastal Protection v. California State Lands  
Commission

California State Lands Commission v. City and  
County of San Francisco

In re: Rincon Island Limited Partnership  
Chapter 11

In re: Venoco, LLC, Bankruptcy Chapter 11

Little Beaver Land Company, Inc. v. State of  
California

Madden v. City of Redwood City (aka  
"Docketown")

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Martins Beach 1, LLC and Martins Beach 2, LLC  
v. Effie Turnbull-Sanders, et al.

San Francisco Baykeeper v. California State  
Lands Commission

San Francisco Baykeeper v. California State  
Lands Commission II

San Joaquin River Exchange Contractors Water  
Authority v. State of California; State Lands  
Commission

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

Sierra Club, et al. v. City of Los Angeles,  
et al.

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

SOS Donner Lake v. State of California, et  
al.

Terminal One Development v. State of  
California, et al.

United States v. 1.647 Acres

United States of America v. State of  
California, et al.

United States v. Walker River Irrigation  
District, et al.

World Business Academy v. 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

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facts and circumstances, there is a significant exposure to litigation against the Commission, or

b. Based on existing facts and circumstances, the Commission is meeting only to decide whether a closed session is authorized because of a significant exposure to litigation against the Commission.

3. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(C), where, based on existing facts and circumstances, the state body has decided to initiate or is deciding whether to initiate litigation.

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS.

The Commission may consider matters that fall under Government Code section 11126, subdivision (c)(7), under which, prior to the purchase sale, exchange, or lease of real property by or for the Commission, the directions may be given to its negotiators regarding price and terms of payment for the purchase, sale, exchange, or lease. At the time of publication of this Agenda, it is not anticipated that the Commission will discuss any such matters; however, at the time of the scheduled meeting, a discussion of any such matter may be necessary or appropriate.

the

Adjournment 128

Reporter's Certificate 129

## P R O C E E D I N G S

1  
2 CHAIRPERSON YEE: Good afternoon. I call this  
3 meeting of the State Lands Commission meeting of the State  
4 Lands Commission to order.

5 All the representatives of the Commission are  
6 present. I am State Controller Betty Yee. And I'm joined  
7 today by Lieutenant Governor Staff Scientist Sloane Viola,  
8 Jacqueline Wong-Hernandez representing the Department of  
9 Finance.

10 For the benefit of those in the audience, the  
11 State Lands Commission manages State property interests in  
12 over 5 million acres of land, including mineral interests.  
13 The Commission also has responsibility for the prevention  
14 of oil spills at marine oil terminals and off-shore oil  
15 platforms, and for preventing the introduction of marine  
16 invasive species into California's marine waters.

17 Today, we will hear requests and presentations  
18 involving the lands and resources within the Commission's  
19 jurisdiction. We recognize that the lands that we manage  
20 have been inhabited for thousands of years by California's  
21 native peoples, and take very seriously our trust  
22 relationship with these sovereign governments.

23 Today, our gratitude goes to the Tongva people  
24 who have inhabited the lands on which we sit, and have  
25 fished these coastal waters for countless generations.

1 I would like to start our meeting today by  
2 thanking the Port of Long Beach and also welcoming the  
3 Mayor of Long Beach, the Honorable Robert Garcia to come  
4 forward and to address the Commission.

5 Thank you so much, Mayor. Good afternoon.

6 LONG BEACH MAYOR GARCIA: How are we doing?  
7 Welcome to Long Beach. And, of course, to Controller Yee  
8 and to the entire Commission I just wanted to welcome  
9 everyone to Long Beach, and especially here to our Port  
10 headquarters. As Mayor of one of our State's larger  
11 cities, and as someone that's worked with the State Lands  
12 Commission as well through the role as Mayor, but also as  
13 a former Coastal Commissioner, I just wanted to share how  
14 much value we put into the work you all do, and how  
15 important it is for us to have that partnership with this  
16 Commission, particularly when it comes to issues around  
17 the Port.

18 And so I wanted to thank you for that, and know  
19 that you're always welcome here in Long Beach. As a  
20 community of about a half a million people, you're  
21 probably all aware that we're -- I always like to tell  
22 folks that are here in the city that we're roughly the  
23 same size as Atlanta, Georgia, bigger than Miami, St.  
24 Louis, and Cincinnati. This is a big California city like  
25 most of our big cities are. And with -- and with that

1 size comes real complex challenges that face us every  
2 single day around climate change, around our -- the way we  
3 use or natural so sources, and the way that the Port and  
4 trade affects or workforce, and affects the way we  
5 interact with our natural environment around us.

6 And so thank you for being here in Long Beach.  
7 I'll also note that this building that you're in today,  
8 this will probably be the last State Lands Commission at  
9 the this Port headquarters, because we're moving our Port  
10 headquarters and city hall to some new buildings in the  
11 downtown. And so these are -- we're winding down our last  
12 few meetings over the next few months at this  
13 headquarters.

14 So thank you for being here. To our Controller  
15 and to the whole Commission, thank you, and to the staff  
16 for all of your hard work. So welcome to Long Beach.

17 CHAIRPERSON YEE: Thank you, Mayor Garcia, very  
18 much stretch. And I think there's a sense when we're  
19 here, and certainly with everything you're doing and with  
20 your leadership with the port, that you really got a sense  
21 of the global reach of California from this vantage point.  
22 So thank you for your leadership. We appreciate it.

23 Okay. Commissioners, unless there's any  
24 objections from any of you, I'd like to proceed with 30  
25 minutes of public comment. I know we have a lot of

1 interest in the audience. We have a number of speakers  
2 that I'm going to just ask if you could limit your  
3 comments each to two minutes. We should be able to  
4 accommodate you within this next half hour. And if we're  
5 not able to accommodate you within this first half hour,  
6 we will allow for additional speakers at the end of our  
7 regular agenda items.

8           These are public comments by those of the  
9 audience who have signed in, and are willing -- are ready  
10 to make comments with respect to the Hollister Ranch  
11 issue. I'm going to call you up by threes, if I could,  
12 just so you're prepared to come up when the speaker before  
13 you is concluding.

14           And first up I have Mary Luévano, a Commissioner  
15 with the California Coastal Commission, followed by Mark  
16 Vargas also with the Coastal Commission, followed by Susan  
17 Jordan, Director of CCPN.

18           Good afternoon.

19           CALIFORNIA COASTAL COMMISSIONER LUÉVANO: Hi.  
20 Good afternoon, Madam Chair and Commissioners and thank  
21 you for the opportunity to come and speak to you today. I  
22 will do my best to keep it within the two minute time  
23 frame. I know we are strict on that at the Coastal  
24 Commission.

25           I'm here to share with you a letter that our

1 Chair, Dayna Bochco, recently transmitted to you and to  
2 the rest of the Commission regarding the Hollister Ranch  
3 Public Access Program.

4 Dear, Chairman -- Chairwoman Yee. One of  
5 California's most exceptional core values as a state is  
6 the notion that all residents, regardless of race,  
7 religion, gender, socioeconomic status, or place of  
8 residence share a fundamental equal right of access to the  
9 coast.

10 Along with the State Coastal Conservancy, our two  
11 agencies are on the leading edge of protecting and  
12 implementing that vision for all people. Since their  
13 inception, the California State Lands Commission and the  
14 California Coastal Commission have shared a common mission  
15 on behalf of the public's Constitutional right to access  
16 navigable -- navigable waters and State tidelands  
17 consistent with resource protection policies, and private  
18 property rights. Together, we have brought our agencies  
19 separate, but complimentary, statutory auth -- statutory  
20 authorities to bear on several intractable coastal access  
21 and resource challenges with great success.

22 In the last decade alone, our Commissions have  
23 teamed up to halt exorbitant beach access fees at Paradise  
24 Cove in Malibu, phase out the country's last beach sand  
25 mining operation in Monterey, and we are currently

1 collaborating on permanently protecting historic public  
2 access to Martins Beach in San Mateo County.

3           It is with these shared successes in mind that I  
4 write to bring your attention to a long-standing coastal  
5 access conundrum that has stymied the Coastal Commission  
6 since the earliest days of the Coastal Act. Hollister  
7 Ranch in Santa Barbara County is a 14,500-acre historic  
8 cattle ranch with eight and a half miles of spectacular  
9 secluded shoreline. And I should mention I actually just  
10 drove through there yesterday. So I can attest to all of  
11 that.

12           The property was subdivided in 1971 into a gated  
13 community comprised of 136 private parcels in  
14 commonly-owned open space. The Coastal Commission's  
15 initial attempts to open the Hollister Ranch shoreline to  
16 public access through the regulatory process, permit  
17 conditions that required access, easements were met with  
18 strong opposition by the residents in the form of multiple  
19 lawsuits. In an attempt to resolve these legal disputes  
20 and ensure timely public coastal access at Hollister  
21 Ranch, the legislature enacted Public Resources Code  
22 section 30610.3 in 1979, an section 30610.8 in 1982 giving  
23 the Commission and the State Coastal Conservancy explicit  
24 authority to adopt, fund, and implement a comprehensive  
25 access program at Hollister Ranch.

1           After three public hearings and subsequent  
2 revisions -- and I didn't -- I didn't add the public  
3 abscess document, although I'm happy to provide that as  
4 well. After three public hearings and subsequent  
5 revisions, the Coastal Commission adopted the final  
6 Hollister Ranch Public Access Program in 1982, which was  
7 to be implemented in three phases subject to ongoing  
8 monitoring and management. The plan includes bicycle,  
9 pedestrian and van access from Gaviota State Park, visitor  
10 serving improvements, such as bathrooms and picnic areas,  
11 general hours of operation, and daily caps on visitation  
12 between 100 and 500 persons per day.

13           However, the landowner's unwavering resistance to  
14 any public coastal access beyond a very small number of  
15 supervised educational and recreational field trips has  
16 effectively blocked the plan's implementation for more  
17 than 35 years.

18           Thus, the Coastal Act's vision of meaningful and  
19 timely public access at Hollister Ranch, and the  
20 legislature's explicit direction to that effect has never  
21 been realized.

22           Given our belief that constitutionality that --  
23 sorry that constitutionally guaranteed access to State  
24 tidelands is not being provided at Hollister Ranch, as  
25 legislatively Mandated, the Coastal Commission

1 respectfully requests that the State Lands Commission  
2 consider looking into this matter. We would appreciate  
3 your agency's consideration of how best to utilize any and  
4 all of your existing legal authority to advance the  
5 implementation of the Commission's Hollister Ranch Public  
6 Access Program prepared and adopted pursuant to Public  
7 Resources Code section 30610.3(b).

8           This is a matter of high priority for my fellow  
9 Commissioners, my staff, and myself. Commission staff  
10 will gladly provide you with additional information you  
11 may need, and we welcome the opportunity to discuss this  
12 matter with you further.

13           In closing, let me take this opportunity to thank  
14 you for your work on behalf of the people of California  
15 and for supporting the strong collaborative working  
16 relationship between our two agencies.

17           And it's signed sincerely Dayna Bochco, Chair,  
18 California Coastal Commission.

19           So I appreciate the time. I know my fellow  
20 Commissioner is going to say a few words as well.

21           Thank you.

22           CHAIRPERSON YEE: Thank you very much,  
23 Commissioner Luévano. And please extend our thanks to  
24 Chairwoman Bochco as well for just highlighting our  
25 shared -- certainly shared values and shared mission with

1 respect to matters relating to public access.

2 Commissioner Vargas, you're next. And since  
3 Commissioner Luévano I felt it was important for her to  
4 put the letter in record, if you would be mindful of the  
5 remaining time.

6 MR. VARGAS: Two minutes is fine

7 CHAIRPERSON YEE: Okay. And welcome. Great to  
8 see you.

9 MR. VARGAS: Thank you very much. Good  
10 afternoon, Commissioners. My name is Mark Vargas and I'm  
11 a member of the California Coastal Commission. But I'm  
12 here today as a private citizen to urge you to take  
13 meaningful steps to ensure reasonable public access to the  
14 coastal zone at Hollister Ranch.

15 Hollister Ranch is the longest strip of publicly  
16 inaccessible coastline in California, a travesty that the  
17 Coastal Commission has been trying to address for decades.  
18 The Hollister Ranch Homeowners Association has been  
19 fighting public access through political or legal means  
20 since at least the 1980s.

21 The legislature demanded back then that, "A  
22 public access plan be provided within a timely manner",  
23 end quote. But here we are today with little to show for  
24 it. Our latest legal tussle with HROA over an offer to  
25 dedicate access to the YMCA Parcel has kept our attorneys

1 locked in a legal battle for years.

2 In a move to try and achieve some access, any  
3 access to Hollister Ranch, the Coastal Commission and the  
4 Coastal Conservancy agreed to settle this lawsuit with the  
5 HROA. But the details of that settlement show that in no  
6 way does this constitute reasonable public access.

7 Members of the public that wish to navigate a  
8 non-motorized vessel the two miles from Gaviota State  
9 Beach to the postage stamp sized parcel -- beach parcel  
10 that's open for visitors in Hollister are quite literally  
11 putting their lives in jeopardy.

12 This can't be what the legislature and the people  
13 of California intended when they asked for a public access  
14 plan within Hollister Ranch. I'm remorseful that the  
15 Coastal Commission and the Coastal Conservancy have signed  
16 an agreement that ties our agency's options for improving  
17 access at Hollister Ranch.

18 But the State Lands Commission can still save the  
19 day. You have the power to push forward with more  
20 meaningful access for the public to this pristine  
21 coastline. I urge you to do what you can today to take  
22 steps towards expanding public access to Hollister Ranch.

23 Thank you very much.

24 CHAIRPERSON YEE: Thank you, Commissioner Vargas.  
25 Thank you for being here.

1           Next, let me call up Susan Jordan to be followed  
2 by Marc Chytilo and --

3           MS. JORDAN: I have a PowerPoint and I have  
4 Katherine Hamilton ceding time, but I'll try and get  
5 through it quickly.

6           CHAIRPERSON YEE: Okay.

7           MS. JORDAN: I do that just so I'm not rushing at  
8 the end.

9           CHAIRPERSON YEE: That's okay. Hang on one  
10 second Susan. I just want to tee up who's following you.  
11 Marc Chytilo and Hanley Bruce -- or Hanley Brue.  
12 (Thereupon an overhead presentation was  
13 presented as follows.)

14          MS. JORDAN: There we go. Okay.

15          Susan Jordan, Executive Director of the  
16 California Coastal Protection Network. I think it should  
17 four minutes just so you know, because I had ceded time.

18          CHAIRPERSON YEE: We'll allow that.

19          MS. JORDAN: Okay. It's not often that you get  
20 your own personal Coastal Act Section, but that's exactly  
21 what happened in the case of Hollister Ranch.

22                 Is there a reason it's not moving forward?

23                 I'll just say next slide.

24          CHAIRPERSON YEE: Yeah.

25          MS. JORDAN: Okay. Next slide.

1                   --o0o--

2           MS. JORDAN: Okay. Back in the early 70s, the  
3 Sea Ranch subdivision was the poster child held up by the  
4 feisty Northern California coastal activists who objected  
5 to losing access to that 10-mile stretch of beach in  
6 Sonoma County.

7           They successfully turned anger into advocacy, got  
8 Proposition 20 passed in 1972, and then the Coastal Act in  
9 1976. But it was clear by the late 70s that the  
10 legislature would need to address the claims by individual  
11 parcel owners in certain subdivisions that they could not  
12 provide offers to dedicate public access or OTDs, because  
13 they could not individually give easements over common  
14 roads. It was an untested legal assertion, but the  
15 legislature acted to resolve the problem in advance.

16           The legislature's solution was, what I called,  
17 the 30610.3, Coastal Act Handshake, we will let you  
18 proceed to build your house without providing an offer to  
19 dedicate as a condition of your individual coastal  
20 development permit, but in exchange you will pay a fee to  
21 fund a subdivision-wide access program. And that access  
22 will be provided expeditiously.

23           Next slide.

24                   --o0o--

25           MS. JORDAN: Okay. This is what I call the

1 Hollister amendment, because Hollister is specifically  
2 called out. Hollister Ranch continued to resist, sued as  
3 they are prone to do anytime anyone says the word public  
4 access out loud. And in response, they got their own  
5 special Coastal Act section in 1982, 30610.8, which set  
6 their in-lieu fee at \$5,000 per permit, let them proceed  
7 with building their houses and estates in exchange for  
8 providing subdivision-wide public access at Hollister  
9 Ranch. It's very clear, and it was supposed to happen  
10 expeditiously.

11           Thirty-six years later, during which time  
12 Hollister Ranch landowners have taken full advantage of  
13 this provision and built out their parcels, some with  
14 large estate homes, subterranean parking garages and the  
15 like, the public still has no access.

16           Let me repeat that. No public access.

17           Slide -- next slide, please.

18                           --o0o--

19           MS. JORDAN: Okay. While you might ask whatever  
20 happened at Sea Ranch? While perhaps kicking and  
21 screaming on the way, and they're still tussling over the  
22 coastal trail alignment, Sea Ranch does provide public  
23 access. So let's take a look.

24           Members of the public may visit public beaches.  
25 There are public access trails. In fact, there are six

1 public access trails with adjacent parking areas with  
2 bathrooms. There are cliffside staircases that lead to  
3 the secluded beaches with sandy coves. Members of the  
4 public can rent private homes in Sea Ranch.

5 This is all on Sea Ranch's own website.

6 They welcome the public.

7 Next slide.

8 --o0o--

9 MS. JORDAN: Well, what happened at Hollister  
10 Ranch?

11 The public is barred from visiting public  
12 beaches. There are no public access trails provided.  
13 There are no public parking areas or restrooms. No public  
14 staircases or trails to provide access to the beach. No  
15 members of the public can rent a private house in  
16 Hollister Ranch.

17 These differences couldn't be more stark. One  
18 complied with the law and one did not.

19 Okay. Next slide.

20 --o0o--

21 MS. JORDAN: Please act in the affirmative to  
22 support the Coastal Commission's request that you explore  
23 what options you may have within your legal authority to  
24 finally open up public access at Hollister as is required  
25 by law, has been required for 36 years at a minimum, and

1 is outlined in the Commission's approved 1982 Hollister  
2 Ranch Public Access Plan.

3           And when considering what to do, just remember  
4 that if each and every one of you were to drive to  
5 Hollister Ranch tomorrow, you would be turned away at the  
6 guard gate like everybody else.

7           So should anyone need directions, I am happy to  
8 provide them. You take the 101 to Gaviota turnout. You  
9 drive up the road to the right to the Hollister Ranch gate  
10 house. You will be refused access by a guard and directed  
11 to turn around and leave. Start, and then you start over  
12 again.

13           To me, it's like almost like Ground Hog Day. I  
14 just feel that the State really must resolve this  
15 egregious situation.

16           Thank you.

17           CHAIRPERSON YEE: Thank you, Ms. Jordan. Thank  
18 you for being here.

19           Mr. Chytilo.

20           (Thereupon an overhead presentation was  
21 presented as follows.)

22           MR. CHYTILO: Madam Chair. I'm Marc Chytilo.  
23 There are two people that have offered to donate time to  
24 me.

25           CHAIRPERSON YEE: Okay.

1 MR. CHYTILO: And I will endeavor to keep my  
2 presentation as short as I can.

3 CHAIRPERSON YEE: All right. Thank you.

4 MR. CHYTILO: Thank you.

5 I am the general counsel of a non-governmental  
6 organization, the Gaviota Coast Conservancy, and also  
7 attorney to the Gaviota Coast Trail Alliance.

8 And I wanted to take this opportunity to give you  
9 a little bit of background about the Gaviota Coast, and  
10 then drill down on some of the Hollister Ranch issues that  
11 are so important to all of us.

12 The Gaviota Coast Conservancy's mission is to  
13 preserve the rural character of the Gaviota coast for  
14 present and future generations. And the Gaviota Coastal  
15 Trail Alliance's purposes are to establish a coastal trail  
16 between two parks on the Gaviota coast, Gaviota State Park  
17 and Jalama -- County Jalama Park.

18 So this map -- I don't know if I can highlight  
19 things. But this is a map of the Santa Barbara County.  
20 And it shows the Gaviota coast. Let's see if I can -- no,  
21 I can't highlight anything. So the Gaviota coast is in  
22 the lower left corner in Point Conception most  
23 significantly. Can you see from this aerial photo that  
24 it's a fabulous area, largely undeveloped. It has  
25 extraordinary agricultural, cultural, biological

1 recreational, and visual qualifications and  
2 characteristics. It's considered a biological hotspot.  
3 One of the top hot -- biological hotspots on the globe.

4 This is an aerial photo looking west out to Point  
5 Conception across Hollister Ranch.

6 --o0o--

7 MR. CHYTILO: This is a blow-up of Hollister  
8 Ranch and in the right-hand side of the image you can see  
9 a green area which is the Gaviota State Park. And on the  
10 left is the Jalama County Beach Park, and between is  
11 Hollister Ranch. The road goes up -- Highway 101 goes up  
12 through Gaviota State Park. And the line along the coast  
13 there is the railroad, so there actually is no public  
14 roadway access across the property.

15 --o0o--

16 MR. CHYTILO: This is a page out of the Coastal  
17 Commission's status report on coastal access ways. And it  
18 identifies Hollister Ranch as Santa Barbara's number one  
19 priority for establishing public access.

20 --o0o--

21 MR. CHYTILO: And that's based on the California  
22 Constitution, which makes it clear that you as the  
23 trustees for our State sovereign lands have an obligation  
24 to work with us and to ensure that the public is not  
25 excluded from their exercise of a right of way to public

1 waters, including tidal lands.

2           And the goal is that access to navigable  
3 waterways shall always be attainable for people of this  
4 State. And Hollister's actions have been to block access  
5 and prevent access to these sovereign lands, so that they  
6 could be enjoyed exclusively pretty much by the folks that  
7 live and own out at Hollister Ranch.

8                               --o0o--

9           MR. CHYTILO: And, of course, the Public  
10 Resources section in the Coastal Act, which acts, as Ms.  
11 Jordan referenced, directs for, as expeditious as  
12 practicable, the attainment of the coastal trail and  
13 coastal access at Hollister Ranch.

14                               --o0o--

15           MR. CHYTILO: Our goal is to establish the  
16 coastal trail, which is something the legislature has  
17 directed and the Conservancy has written about.

18                               --o0o--

19           MR. CHYTILO: Closer to home in Santa Barbara  
20 County, we adopted a Gaviota plan, which identify's trail  
21 alignments through Hollister Ranch. It is not for want of  
22 trying --

23

24                               --o0o--

25           MR. CHYTILO: -- that we've not been able to get

1 to access the Hollister Ranch. This is the Conservancy or  
2 the Commission's 1981 adopted coastal access program,  
3 which we think needs to be the backbone and foundation of  
4 any efforts to move forward at accomplishing access  
5 through Hollister Ranch.

6 --o0o--

7 MR. CHYTILO: Back in 2003, the National Parks  
8 Service did a study of the feasibility of creating a  
9 national seashore at Gaviota coast. And they determined  
10 that the resources were sufficient to be able to qualify  
11 it. But it was landown -- landowner opposition led by  
12 Hollister Ranch that prevent this from happening.

13 --o0o--

14 MR. CHYTILO: The Department of Interior  
15 explained their justification, leading us to the moment  
16 that we're at right now.

17 This is an editorial from the New York Times,  
18 *What if You Owned a Beach But You Weren't Allowed The Get*  
19 *To It?* That's exactly what we have here.

20 --o0o--

21 MR. CHYTILO: The Los Angeles Times took an  
22 editorial position earlier this month that the State  
23 should not have settled. But more specifically, what can  
24 we do now directing us to move forward?

25 --o0o--

1 MR. CHYTILO: This is an image of trail -- the  
2 coastal trail at Sea Ranch, which establishes clearly that  
3 there is a reasonable solution that can work out and  
4 accommodate and reconcile the interests of property owners  
5 and the public to access our precious coast.

6 --o0o--

7 MR. CHYTILO: So we join with the other  
8 organizations that you're going to hear for in supporting  
9 the Coastal Commission's request that the Lands Commission  
10 engage in this process. Give direction to staff to  
11 participate as fully as possible to be able to accomplish  
12 access at Hollister Ranch as expeditiously as practicable,  
13 both for our current generation and for future generations  
14 as well.

15 Thank you very much.

16 CHAIRPERSON YEE: Thank you, Mr. Chytilo. Would  
17 you please identify the two speakers who ceded their time.

18 MR. CHYTILO: There is Staley Prom and Hailey.

19 CHAIRPERSON YEE: Okay. Very well. Thank you  
20 very much. Thank you.

21 Next up we have Otis Calet, Santa Barbara Trails,  
22 followed by Katiana Johnson with Natural Resources Defense  
23 Counsel, and Angela D'Arcy.

24 MR. CALET: Good afternoon, Chair and  
25 Commissioners. My name is Otis Calet. I'm President of

1 the Santa Barbara County Trails Council.

2           The Coastal Commission has sent you a request,  
3 and I've come down to help emphasize the great importance  
4 of that request. The Commission is tasked with making the  
5 California coast accessible to the people, and  
6 specifically with the creation of the California coastal  
7 trail.

8           With Hollister Ranch, eight and a half mile real  
9 estate development on the Santa Barbara coast, they have  
10 gotten into a jam. Any of you who have taken the train  
11 from Gaviota passed Point Conception and Vandenberg Air  
12 Force Base, you know the beautiful spectacular and  
13 singularly unique area.

14           My dream, and my assumption had always been,  
15 until sort of recently, that there will always -- there  
16 will be a California coastal trail along the bluffs of  
17 that 50-mile stretch.

18           There are three large parcels, Vandenberg Air  
19 Force Base, 32 miles; Dangermond Preserve, eight and a  
20 half miles, and Hollister Ranch, eight and a half miles.  
21 Vandenberg is open to military people and special  
22 programs. For example, I've ridden across that whole 32  
23 miles in a reenactment of the De Anza Expedition. We had  
24 lunch at one of the original camp sites.

25           Dangermond was recently acquired by the Nature

1 Conservancy, and will in the future, I am confident, allow  
2 various means for public visitation. That leaves  
3 Hollister, which for decades has steadfastly and very  
4 successfully blocked the public.

5 I urge you to take to heart the Coastal  
6 Commission's request, and have a serious look at how we  
7 can get past this blockade. I ask this on behalf of the  
8 people of California.

9 Thank you.

10 CHAIRPERSON YEE: Thank you, Mr. Calet.

11 Ms. Johnson.

12 MS. JOHNSON: Good afternoon, Commissioners. My  
13 name is Katiana Johnson. And I'm here on behalf of NRDC  
14 and our thousands of members and supporters in Southern  
15 California who care about the coast. NRDC supports the  
16 Coastal Commission's request for the State Lands  
17 Commission to explore all options to open equitable,  
18 public access at Hollister Ranch.

19 Beach access is a universal right and necessary  
20 for the public to enjoy our pristine coastline. NRDC's  
21 commitment to open public spaces is what brings us here  
22 today in support of the Coastal Commission's August 16th  
23 letter requesting your agency's consideration of how best  
24 to utilize all of your existing legal authority to advance  
25 the implementation of the Commission's Hollister Public --

1 Hollister Ranch Public Access Program.

2 Thank you for your time today and all of your  
3 work on behalf of Californians.

4 CHAIRPERSON YEE: Thank you, Ms. Johnson.

5 Ms. D'Arcy. Angela D'Arcy.

6 MS. MOONEY D'ARCY: I won't be speaking on this  
7 issue today. Thank you.

8 CHAIRPERSON YEE: Okay. All right. Thank you.

9 Next, we have Jennifer Savage followed by Graham  
10 Hamilton and David Grubb.

11 MS. SAVAGE: Good afternoon, Commissioners.  
12 Jennifer Savage, California Policy Manager for the  
13 Surfrider Foundation. Hollister Ranch has long symbolized  
14 what the California Coastal Act was created to prevent,  
15 the de facto privatization of California's coast by those  
16 fortunate enough to own a piece of it.

17 The desire to keep others out of what by law  
18 belongs to the public is a common theme up and down the  
19 coast, but nowhere has that desire to exclude been so  
20 successful as at Hollister Ranch.

21 The recent settlement proposed by the State  
22 lacked adequate public notice and lacks adequate public  
23 access. Surfrider Foundation supports the California  
24 Coastal Commission's request that the State Lands  
25 Commission explore all possible options in order to

1 improve access at Hollister and get something better for  
2 the State of California and its citizens.

3 Thank you.

4 CHAIRPERSON YEE: Thank you.

5 MR. HAMILTON: Thank you, Madam Chair,  
6 Commissioners.

7 My name is Graham Hamilton. And I am the Los  
8 Angeles Chapter Coordinator for the Surfrider Foundation.  
9 Since 1976, beach access has been a fundamental right of  
10 all Californians, not merely of those who can afford to  
11 purchase large swaths of coastal property. But for nearly  
12 40 years in a consistent flagrant violation of the Coastal  
13 Act, landowners at Hollister Ranch in Santa Barbara County  
14 have kept an eight and a half mile, 14,000 plus acre  
15 stretch of coastline off limits to everyday Californians.

16 The deal that was recently struck behind closed  
17 doors between the State and Hollister Ranch property  
18 owners is outrageous, not merely because it was settled  
19 without public input, but because of the insulting and  
20 downright dangerous provisions it provided for ordinary  
21 Californians to access the beach.

22 Under the settlement, anyone that wanted to visit  
23 Hollister Ranch would have to do so by sea, which would  
24 require those without a boat to brave daunting -- a  
25 daunting two-mile paddle through sharky, temperamental

1 waters. If this settlement becomes law and beachgoers are  
2 forced to access the coast by sea, it will only be a  
3 matter of time before someone dies.

4 I understand some of the concerns that the  
5 property owners have, that opening Hollister Ranch to the  
6 public will only invite the spoiling of a relatively  
7 pristine coastline. But access doesn't have to conflict  
8 with conservation. Carefully considered, established, and  
9 managed access can be a gateway to conservation. Those  
10 who experience the beauty and wonder of places like  
11 Hollister Ranch who leave with a sense of its  
12 environmental and cultural significance will be more  
13 inclined to protect it, along with all of the rest of our  
14 coastal gems from Imperial Beach to Point St. George.

15 I encourage this Commission to exercise its full  
16 authority to explore all options to open up reasonable and  
17 sensitive land-based beach access at Hollister Ranch.

18 Thank you.

19 CHAIRPERSON YEE: Thank you, Mr. Hamilton. Our  
20 last two speakers for this segment David Grubb and Emma  
21 Freeman.

22 MR. GRUBB: Good afternoon Chair Yee and  
23 Commissioners. I am David Grubb speaking for Sierra Club  
24 California. Sierra Club California is the legislative and  
25 regulatory advocacy arm of Sierra Club's 13 local chapters

1 in California representing more than 400,000 members and  
2 supporters in the State.

3 We strongly support the request submitted to this  
4 Commission by the California Coastal Commission in their  
5 letter of August 16th, 2018. Sierra Club California  
6 believes that access to State tidelands is not being  
7 provided at Hollister Ranch as required by law. We  
8 respectfully request that the State Lands Commission  
9 consider how best to utilize any and all of your existing  
10 legal authority to advance a public access program at  
11 Hollister Ranch.

12 Thank you.

13 CHAIRPERSON YEE: Thank you very much, Mr. Grubb.

14 MS. FREEMAN: Good afternoon. Thank you for this  
15 opportunity to speak. My name is Emma Freeman. I'm  
16 speaking on behalf of myself but I'm a member of the  
17 Surfrider Foundation and the Sierra Club. When I was grad  
18 student in environmental science and management at the  
19 University of California, Santa Barbara, I served as the  
20 Tide Pool Docent at Hollister Ranch. And in that role, I  
21 witnessed firsthand both the incredible beauty of this  
22 area, and the incredible impact that that experience can  
23 have on children of experiencing all of the natural  
24 resources there.

25 I believe that that experience leads people to

1 care about our natural resources, and go on to protect  
2 them. And it is all Californians' right to experience  
3 that and not restrict it just to wealthy people who can  
4 afford.

5 Therefore, I urge the Commission to do everything  
6 in your power, as requested by the California Coastal  
7 Commission, to secure the public's Constitutional right to  
8 coastal access at Hollister Ranch.

9 Thank you.

10 CHAIRPERSON YEE: Thank you very much, Ms.  
11 Freeman.

12 Ms. Lucchesi, that ends our public comment for  
13 that segment. Perhaps, we should just provide some input  
14 with respect to what we've heard --

15 EXECUTIVE OFFICER LUCCHESI: Of course.

16 CHAIRPERSON YEE: -- at this juncture. Okay.

17 EXECUTIVE OFFICER LUCCHESI: Yeah, of course, I'm  
18 happy to. So upon receiving the letter from the Coastal  
19 Commission on August 16th, staff has started to look into  
20 and review our current authorities and jurisdictions, and  
21 explore all options. So we are starting that process now.  
22 And, in fact, myself and a couple members of your staff --  
23 the Commission staff went and experienced the road to  
24 Hollister Ranch yesterday, and walked around Gaviota State  
25 Park.

1           So we're getting ourselves familiar beyond just  
2 reading the newspaper articles and talking with various  
3 folks that are interested in this issue. And so if there  
4 are no objections from the Commission, we will continue to  
5 look into that, and bring back options to the Commission  
6 at a later date.

7           CHAIRPERSON YEE: Okay. Thank you, Ms. Lucchesi.  
8           Comments at this point, Commissioners?

9           Okay. And I can assure members of the audience  
10 that we will be working closely with State Lands staff,  
11 Deputy Controller Baker, who is my designee on the Coastal  
12 Commission will continue to try to receive all input with  
13 respect to this effort that we do take Chairman Bochco's  
14 request and the Commission -- the Coastal Commission's  
15 request very seriously. And the work is underway to at  
16 least explore the legal authorities that we do have and  
17 more to come, more to come.

18           Thank you very much.

19           Okay. Next item of business will be the adoption  
20 of the minutes from the Commission's June 21st, 2018  
21 meeting. Is there a motion to approve the minutes?

22           ACTING COMMISSIONER WONG-HERNANDEZ: Move  
23 approval.

24           CHAIRPERSON YEE: Okay. Motion by Commissioner  
25 Wong-Hernandez.

1           ACTING COMMISSIONER VIOLA:    Second.

2           CHAIRPERSON YEE:    Seconded by Ms. Viola.

3           Without objection, such will be the order, the  
4 minutes are approved.

5           Next order of business is the Executive Officer's  
6 report, and Ms. Lucchesi.

7           EXECUTIVE OFFICER LUCCHESI:    Yes.  Thank you very  
8 much.  I do have a number of items I want to update the  
9 Commission on.

10           First, on July 12th and 13th, Commission staff in  
11 coordination with Sacred Places Institute and the tribal  
12 co-chair of the West Coast Regional Planning Body held a  
13 two-day event in San Diego entitled Strategic Coastal  
14 Planning and Organizing for California Native Nations.  We  
15 had over 30 participants from tribal communities,  
16 including youth, scholars, elders, and council chairs.

17           This summit centered around acknowledging and  
18 elevating the voices of Californians -- California's  
19 indigenous communities around coastal planning, and  
20 seeking ways to integrate tribal expertise into our  
21 organizational culture and practices.

22           On day one, we discussed barriers to  
23 participation and planning activities facing native  
24 communities, like lack of capacity within their  
25 communities to respond to short agency deadlines, as well

1 as a lack of meaningful inclusion and respect at early  
2 stages of planning.

3           On day two, we listened to the environmental  
4 justice concerns facing their communities, including  
5 displacement from ancestral lands, lack of safe access to  
6 marine areas to conduct harvesting and gathering  
7 activities, and lack of protected spaces for reburial of  
8 ancestral remains.

9           We believe the summit was a positive step for  
10 augmenting our trust relationship with tribes and tribal  
11 governments. And staff is committed to continued dialogue  
12 and mutual learning with our tribal partners to more fully  
13 integrate their needs and unique knowledge into our  
14 activities and decision making. The participants were  
15 particularly grateful for and appreciative of Chairwoman  
16 Yee's attendance and the sincerity with which she engaged  
17 in the discussion. So I really want to express our  
18 gratitude for you taking the time to spend the day with us  
19 at that summit.

20           CHAIRPERSON YEE: Absolutely.

21           EXECUTIVE OFFICER LUCCHESI: Next, connected to  
22 that, an update on our San Diego Ocean Planning  
23 Partnership. We will be releasing its draft preliminary  
24 assessment report for public comment and review in  
25 September. We will post the report to our State Lands

1 Commission website, as well as to the project website,  
2 which is [www.sdoceanplanning.org](http://www.sdoceanplanning.org). This report reflects  
3 the input we've gathered from stakeholders about their  
4 interests in ocean space offshore of San Diego, and their  
5 ocean planning needs. We are continuing to engage with  
6 stakeholders through one-on-one meetings and will also be  
7 holding public open houses in San Diego in September and  
8 October to present our current findings from the report  
9 and solicit additional input from coastal communities  
10 throughout the county.

11 The Port of San Diego staff will travel to  
12 Sacramento early next week to help us prepare the draft  
13 report for publication and Commission review.

14 I want to give some project updates for the  
15 Commission on projects that the Commission is actually  
16 facilitating. The first is the removal of the Dennett Dam  
17 which is located in the Tuolumne River. We're excited to  
18 report that the Dennett Dam Removal Project is currently  
19 underway.

20 As background, the Dennett Dam is a significant  
21 threat to human health and safety. It is responsible for  
22 the deaths of two children and one adult. The Commission  
23 received \$500,000 in its budget over the past couple years  
24 to partner with the Tuolumne River Preservation Trust to  
25 remove the dam. Water is currently being diverted to

1 facilitate the demolition and removal of the dam. And the  
2 contractor is scheduled to excavate and extract the sheet  
3 piles from the area within this week.

4 And we look forward to presenting you, the  
5 Commission, on the full removal at our next meeting with  
6 pictures and a formal staff report on that.

7 Next, I'd like to update the Commission on our  
8 efforts involving the plugging and abandonment of the oil  
9 and gas wells at Platform Holly and at Piers 421. Between  
10 June 24th and August 13th of this year, ExxonMobil  
11 conducted a wireline survey of 12 wells, operating 12  
12 hours per day, seven days a week. We learned a lot about  
13 the condition and internal dynamics of the wells. And of  
14 the wells surveyed, only three will be candidates for what  
15 we call a rigless abandonment process, using specific  
16 equipment to place cement plugs across all the production  
17 zones.

18 This is -- that being -- excuse me. During the  
19 wireline work, two of the suspended wells will be used  
20 previous -- that were used previously for water disposal  
21 and gas injection were tested according to DOGGR's  
22 requirements. And they were on site during the pressure  
23 test of the wells and approved the tests.

24 So we assume that these tests will be certified  
25 for water and gas disposal as needed and required for the

1 plugging and abandonment operations.

2           Parker Drilling Company has been selected by  
3 ExxonMobil as the service company to repair, replace, and  
4 refurbish the current rig on the platform to be brought  
5 back to operational standards for the P&A work. And they  
6 will begin their work next Monday and take six weeks to  
7 lay the basis for the full repair and replacement work.

8           In between that survey and the rig repair our  
9 contractor will be replacing the six temporary offices on  
10 the platform with new buildings now being fabricated and  
11 which will start arriving sometime after Labor Day.

12           This is all the prep work essentially that we  
13 have to do to get the platform ready, and all the  
14 equipment ready to actually start going in and plugging  
15 and abandoning the wells. And so if everything goes  
16 right, and weather permitting, we are anticipating that we  
17 will start the abandonment of these 30 wells beginning in  
18 April of next year.

19           And the time frame for that completion is likely  
20 to be between 30 and 60 months. Just -- it's about -- it  
21 depends on the complexity of the wells, as we get into  
22 them. So I think originally we had assumed that the  
23 timeline would be about 18 to 30. We're trying to  
24 anticipate longer with the hopes that we get done sooner.

25           (Laughter.)

1 EXECUTIVE OFFICER LUCCHESI: We are -- as it  
2 relates to Piers 421, which are the two shore zone piers  
3 that have two wells each. And those wells date back to  
4 the 1940's. One was a water disposal well and one was a  
5 production well. Next week, we will actually be cleaning  
6 out some fluids, mainly water, from the well cellars to do  
7 an investigation of the wellheads. And in addition next  
8 month, we'll do some road maintenance activities, all in  
9 preparation to hopefully start the well abandonment on  
10 those two shore zone piers in October.

11 We're hoping that everything -- the stars align  
12 that we can start in October so that we beat the storm  
13 season, and we won't need to come back at a later date and  
14 repair the road to go back out to those wells and finish  
15 the plugging and abandonment process.

16 As you know, while we don't own the underlying  
17 land at the Ellwood Onshore Facility, the Commission and  
18 the State stepped up and is managing that facility on  
19 behalf of the estate at this point to ensure health and  
20 safety is protected.

21 And so we are starting to do some work at the  
22 Ellwood Onshore Facility to ensure that it's continued to  
23 be maintained, and it will be ready to be used for the  
24 plugging and abandonment work. It is a necessary element  
25 as part of the plugging and abandoning the 32 wells that

1 are offshore. So we are continuing to manage that  
2 facility.

3 And finally, an update on Rincon Island and our  
4 decommissioning efforts there. We awarded a contract with  
5 DrilTek to permanently plug and abandon the approximately  
6 75 wells across the various former leases there. That  
7 contract started July 1st, and Commission staff and  
8 DrilTek are in the process of developing a well  
9 abandonment plan in coordination with DOGGR.

10 We anticipate that the plugging and abandonment  
11 work will commence onshore this year with the total work  
12 to last into mid-2021. We are working on planning  
13 community meetings sometime in September or early October  
14 to continue to brief the community and the county on our  
15 efforts and answer any questions that they may have.

16 And more information about that outreach over the  
17 next couple months will be posted on our website and we'll  
18 make sure to cast the net wide on that.

19 And just a couple of last things. I did want to  
20 call out consent items 103 and 105 on the agenda. They  
21 aren't being removed from the agenda, but I did want to  
22 call those out, because those were specifically in  
23 response to some budget appropriations that we received in  
24 this last budget approved by the legislature and signed by  
25 the Governor relating to a Lake Tahoe rent methodology

1 study that we will be hiring a consultant to help us with,  
2 as well as we received \$500,000 in our budget this year to  
3 help staff analyze and assess the reports coming in from  
4 our grantees pursuant to AB 691 dealing with sea level  
5 rise preparedness and climate change adaptation.

6 So those are items where we're seeking authority  
7 to go out to retain a consultant pursuant to those budget  
8 augmentations that we're so thankful for.

9 And finally, I do -- I can't leave this meeting  
10 without plugging our Prevention First Conference, which is  
11 going to be held September 25th and 26th here in Long  
12 Beach. This year marks the 13th biennial Prevention First  
13 symposium hosted by the State Lands Commission since the  
14 symposium's inception in 1994.

15 It has been 27 years since the groundbreaking  
16 Lempert-Keene-Seastrand Oil Spill Prevention and Response  
17 Act bolstered California's oil spill prevention efforts by  
18 triggering the creation of the Commission's Marine  
19 Environmental Protection Division and Department of Fish  
20 and Wildlife's Office of Spill Prevention and Response.

21 The act also enabled the Commission's Minerals  
22 Resource Management Division to enhance its oil spill  
23 prevention capabilities at offshore platforms and offshore  
24 facilities. There have been many changes in technology  
25 and governance over the past two years, but the goals of

1 this symposium and the technology exhibition remain the  
2 same, to provide participants with the most relevant and  
3 valuable pollution prevention information and resources to  
4 continue to protect California's marine waters.

5 And we're very thankful that the Chair has agreed  
6 to be our keynote speaker for that symposium. And -- and  
7 we're looking forward to a great time over those two days.

8 So -- and that concludes my report.

9 Thank you.

10 CHAIRPERSON YEE: Thank you, Ms. Lucchesi, and  
11 thank you to the staff. It's a full plate that is  
12 exciting at the same time, and to be able to secure some  
13 of the resources that have been necessary to keep the work  
14 moving.

15 I also just wanted to add my thanks to the tribal  
16 communities who did participate in the summit. And going  
17 forward, it was very clear to me that there's just very  
18 little understanding and, I guess, knowledge, if you will,  
19 of the history of our native peoples in the state. And I  
20 hope is that, Ms. Lucchesi, when we open up our future  
21 meetings that we can feature some time and some narrative  
22 from the local native peoples of the jurisdictions where  
23 we're meeting, so that we can do our part in enhancing the  
24 public education around their experience and history.

25 Thank you.

1           Next, members, we have the adoption of the  
2 consent calendar before us. And let me just ask my fellow  
3 Commissioners, are there any items that you would like to  
4 see removed?

5           Ms. Lucchesi mentioned Items 104 -- 103 and 104,  
6 right?

7           EXECUTIVE OFFICER LUCCHESI: Yeah, but I don't  
8 want to remove those. I just wanted to highlight them.

9           CHAIRPERSON YEE: Oh, to highlight them. Okay.

10          EXECUTIVE OFFICER LUCCHESI: But I do have a  
11 number I need to remove, when you're ready.

12          CHAIRPERSON YEE: Okay. Please do. Okay.  
13 Commissioners, any items you wished removed?

14          Okay. Ms. Lucchesi.

15          EXECUTIVE OFFICER LUCCHESI: All right. Great.  
16 Thank you. Consent items C 04, C 20, C 36, C 40, C 48,  
17 and C 55 I would like to remove from the agenda and we'll  
18 bring those items back at a latter Commission meeting.

19          CHAIRPERSON YEE: All right.

20          EXECUTIVE OFFICER LUCCHESI: I would also like  
21 to -- we do have public comment slips for consent Item  
22 107.

23          CHAIRPERSON YEE: Yes.

24          EXECUTIVE OFFICER LUCCHESI: I would like to move  
25 that to the regular agenda, please.

1 CHAIRPERSON YEE: Okay. Very well.

2 EXECUTIVE OFFICER LUCCHESI: And if I just -- if  
3 I may, we do have -- I pulled C 36 from the --

4 CHAIRPERSON YEE: That's right. We have speaker  
5 for that.

6 EXECUTIVE OFFICER LUCCHESI: -- agenda  
7 altogether --

8 CHAIRPERSON YEE: Yes.

9 EXECUTIVE OFFICER LUCCHESI: -- because the  
10 applicant withdrew their application from the Commission,  
11 so there's actually nothing for the Commission to act on  
12 at this moment in time. But we do have one speaker's  
13 slip --

14 CHAIRPERSON YEE: We do.

15 EXECUTIVE OFFICER LUCCHESI: -- for that item.  
16 And so it's up to the Commission -- to the Chair, your  
17 discretion --

18 CHAIRPERSON YEE: Yes.

19 EXECUTIVE OFFICER LUCCHESI: -- on whether you  
20 would like to hear that public comment now or wait till  
21 the public comment period at the end.

22 CHAIRPERSON YEE: Let me -- since there's one  
23 speaker, let me go ahead and accommodate that. But why  
24 don't we adopt the consent calendar with the noted items  
25 removed before we proceed.

1           So we have six items that have been removed from  
2 the consent calendar. Is there a motion on the remainder?

3           ACTING COMMISSIONER WONG-HERNANDEZ: Move  
4 approval of the rest of the consent agenda.

5           CHAIRPERSON YEE: Okay. We have a motion by  
6 Commissioner Wong-Hernandez to move the remainder of the  
7 consent agenda.

8           ACTING COMMISSIONER VIOLA: Second.

9           CHAIRPERSON YEE: Seconded by Commissioner Viola.  
10 Without objection, the consent calendar is  
11 adopted.

12           And then let me, at this time, call up Sabrina  
13 Brennan who wishes to speak on Item C 36 that was just  
14 removed from the consent calendar.

15           MS. BRENNAN: Yes. Thank you for the opportunity  
16 to speak today. My name is Sabrina Brennan. I'm a harbor  
17 commissioner in San Mateo County. However, I'm speaking  
18 today as a co-founder of the Committee for Equity in  
19 Women's Surfing.

20           And I wanted to mention that we're absolutely  
21 thrilled that surfing has become California's iconic state  
22 sport. I'm speaking today regarding the Mavericks surf  
23 competition and Item 36, which has been pulled.

24           We would like to thank the State Lands Commission  
25 staff for giving consideration to our concerns about

1 gender-based discrimination. We are especially  
2 appreciative of the lease terms included in the staff  
3 report. And I'd like to read those lease terms.

4 "Lease shall ensure that winners in the women's  
5 division and the men's division of the Mavericks challenge  
6 receive equal compensation for each category. As such,  
7 the first place winner, second place winner, and any other  
8 participant level that receives prize money in the men's  
9 division shall be -- shall be awarded identical sums of  
10 prize money, other prizes, goods, or other compensation as  
11 the first place winner, second place winner, and any other  
12 participant level that receives prize money in the women's  
13 division".

14 In other words, women would receive equal prize  
15 money and equal pay for big wave surfing at Mavericks.

16 I'll just continue briefly. "Leaser authorizes  
17 this event with the understanding that the Mavericks  
18 Challenge will include, one, at least ten female  
19 competitors in the women's division; two, multiple heats  
20 in the women's division; three, equal provision of any and  
21 all benefits including logistical support to competitors  
22 in both the women's division and the men's division; and  
23 four, equal opportunity and access for members of the  
24 media, regardless of gender". We really appreciate those  
25 terms and hope to see those come back when this item comes

1 back before you.

2           It's our understanding that the WSL is claiming  
3 they need to raise additional funds to provide for the  
4 equal prize money for both the women's and men's big wave  
5 divisions. We see this as a red flag, and we urge the  
6 State Lands Commission to consider requiring financials in  
7 support of proof that the entity has the financial  
8 resources to put on the Mavericks event. And the reason I  
9 mention that is because in the past, which is also  
10 described in your staff report, there have been issues  
11 with running this event. And there was a bankruptcy by a  
12 previous organizer, which is why women athletes have never  
13 been able to compete in the Mavericks surf competition to  
14 date.

15           So we're really excited that -- you know, we feel  
16 like we're getting close. It's going to happen. It  
17 hasn't happened yet, and we'd like to make sure that the  
18 women athletes get equal pay for taking the same level of  
19 risk, riding the same waves on the same day as the male  
20 athletes.

21           And we'd also like to say that we support public  
22 access at Hollister Ranch. Thank you.

23           CHAIRPERSON YEE: Thank you very much, Ms.  
24 Brennan.

25           Okay. Any comments on -- any other comments on

1 that item?

2 Thank you. Next, we will move to our regular  
3 calendar. And I believe that Item 112 is an informational  
4 report on our efforts to overall the Commission's  
5 Environmental Justice Policy. And we have a staff  
6 presentation on that.

7 CHAIRPERSON YEE: That's correct.

8 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF  
9 PEMBERTON: Thank you, Chairwoman Yee and Commissioners.  
10 I'm pleased to give you an update on where we are with the  
11 development of our Environmental Justice Policy.

12 Earlier this month, we released a revised draft  
13 policy comment deadline of about 45 days, and also with  
14 that a roadmap for implementing the plan. The draft sets  
15 out vision -- a proposed vision and objectives for the  
16 Commission.

17 And also I wanted to mention that last week that  
18 California Coastal Commission also released their draft  
19 Environmental Justice Policy, and there's a lot of  
20 commonalities between the two drafts. You'll see that  
21 meaningful public engagement, public access, respecting  
22 tribal concerns, process, accountability, and transparency  
23 are also prioritized in both agency's drafts.

24 One area I wanted to point out where I think  
25 we're going to reshape our draft policy a little bit is on

1 climate change, and climate vulnerability, because we've  
2 been hearing that maybe we overlooked that a little bit in  
3 the draft, so we want -- we want to correct that.

4           Also, this past Tuesday, we held an environmental  
5 justice community roundtable in Contra Costa County, and  
6 we heard from community members in those areas, and they  
7 shared their concerns, and perspectives. And we received  
8 a lot of honest feedback that we're going to be thinking  
9 hard about, and working on and thinking of ways that we  
10 can reflect their concerns in our draft policy.

11           There were a lot of questions about the role that  
12 the Commission's leases have in transporting oil, and  
13 about the health concerns in that -- in particular areas  
14 of Contra Costa County.

15           We've also been trying to just convey that one of  
16 our goals is to develop genuine relationships with  
17 environmental justice communities. So when there's an  
18 upcoming agenda item that's of interest to a particular  
19 community, we've got an established relationship, and they  
20 can find out what's on the agenda and we can hear concerns  
21 early.

22           We'll be hosting another roundtable in Long Beach  
23 later this year, in September or October, together with  
24 East Yards for Community Justice, and the California  
25 Coastal Commission.

1           So I'm happy to answer any questions. I think we  
2 have a few staff -- or a few members of the Environmental  
3 Justice Working Group that's been advising the Commission  
4 here to also give feedback on the revised draft policy.  
5 So I'll leave it at that, and happy to answer any  
6 questions.

7           CHAIRPERSON YEE: Okay. Great. Thank you,  
8 Sheri, very much.

9           Any comments by Commissioners at this point?

10          Okay. If not, I think I'd like to call up the  
11 speakers who have signed in on this item. Tom Raftican,  
12 Paloma Aguirre, and Jason Giffen.

13          MR. RAFTICAN: Madam Chairman, members of the  
14 Commission, my name is Tom Raftican with The Sportfishing  
15 Conservancy. Thank you for looking at environmental  
16 justice.

17          And I want to put a special thanks out to Ms.  
18 Pemberton and the Commission for taking a good look and  
19 getting out really good public outreach on this.

20          We have some questions about definitions of  
21 community. And in the interests of time, we'll submit  
22 those in writing. But thanks very much we appreciate it.

23          CHAIRPERSON YEE: Thank you, Mr. Raftican.

24          Paloma, I believe.

25          MS. AGUIRRE: Hi. So we are prepared to speak

1 to you together, if that's all right.

2 CHAIRPERSON YEE: Sure.

3 MS. AGUIRRE: All right. Well, thank you for the  
4 invitation to speak before you today.

5 My name is Paloma Aguirre. I am the coastal and  
6 marine director at WILDCOAST. WILDCOAST is an  
7 international conservation team that works to conserve  
8 coastal and marine ecosystems in wildlife. We're based in  
9 Imperial Beach. And our community is disproportionately  
10 affected by the transboundary pollution that affects the  
11 region related to the Tijuana River watershed. We have  
12 great impacts from the cross-border of trash, waste,  
13 tires, and especially sewage.

14 MS. THOMAS: Good afternoon, Commissioners. My  
15 name is Taylor Thomas. I'm with East Yard Communities for  
16 Environmental Justice. We're based in in ancestral Tongva  
17 lands in East L.A., Commerce, South East L.A., and Long  
18 Beach. And we're a community-based organization that  
19 works to build community power by fighting environmental  
20 racism. We're overburdened by pollution in our  
21 communities. We're heavily exposed to freight, traffic,  
22 port pollution, refinery pollution, and industrial  
23 pollution. So I'm happy to be here to be talking about  
24 the recommendations that we've made.

25 MS. MOONEY D'ARCY: Hi, I'm Angela Mooney D'Arcy.

1 I'm from the Acjachemen Nation. Our ancestral territory  
2 is in what's now known as Orange County. I just want to  
3 acknowledge that we're on Tongva, the home lands, and  
4 thank the Commission for acknowledging that as well.

5 I'm the Executive Director of founder of the  
6 Sacred Places Institute for Indigenous Peoples. Our  
7 mission is to build the capacity of native nations and  
8 indigenous peoples to protect sacred lands, waters and  
9 cultures. It's been a real honor to be here working with  
10 these women and other folks in this work group. And I  
11 look forward to sharing a little bit with you as well  
12 today.

13 MS. AGUIRRE: So the Environmental Justice  
14 Working Group was convened earlier this year to develop  
15 recommendations for you for the State Lands Commission as  
16 you update your environmental justice policy. The  
17 Environmental Justice Working Group is formed by eight  
18 organizations, including the East Yard Communities for  
19 Environmental Justice who's present today, Sacred Places  
20 Institute and WILDCOAST.

21 We've been working for the last six months to  
22 develop EJ recommendations, and we have written a comment  
23 letter on the second draft that we will -- we submitted to  
24 you today, and we will be sharing some of those highlights  
25 right now.

1           So we just want to highlight the critical need  
2 for EJ representation. We want to make sure that EJ  
3 communities have decision-making power, that the  
4 Commission is advised by EJ experts, and that there is EJ  
5 competence within the Commission.

6           As far as decision-making power, people and  
7 communities disproportionately affected by pollution and  
8 inequity should have the right to decide what is best for  
9 their families and communities. Therefore, we like the  
10 idea of cultivating EJ champions throughout the  
11 Commission. We urge you to meet this goal by seeking  
12 people who actually come from EJ communities. We also  
13 recommend having EJ champions who have decision-making  
14 power, whether it's as a Commissioner or a high level  
15 staff.

16           We also appreciate the Commission's idea for an  
17 advisory group. We believe that direct partnerships  
18 between EJ organizations and leaders foster a cultural of  
19 understanding.

20           It is important to offer enough resources in  
21 staff, so that this partnership can succeed. We also  
22 recommend that this advisory group be informed by the  
23 impacted community related to whatever project is being  
24 considered, and that this work be done with that community  
25 to identify and mitigate its impacts, so that you can then

1 include this in your project analyses.

2 We also strongly recommend the Commission develop  
3 EJ competence. We recommend staffing EJ and tribal  
4 positions with people who actually have background and  
5 experience in environmental justice issues for these  
6 positions. We believe this will greatly improve the  
7 Commission's competence on EJ issues.

8 And finally, we recommend that the Commission  
9 hire an external evaluator and consultants that have  
10 experience working with the EJ movement to evaluate the  
11 agency's progress along implementation metrics, and that  
12 this external evaluation allows for more transparency and  
13 an honest mark on progress.

14 MS. MOONEY D'ARCY: So I wanted to speak a little  
15 bit to the tribal nations and ancestral homelands issues  
16 that are raised in the Commission policy. And first, I  
17 just want to echo what Commission staff said about  
18 thanking this Commission for coming to our tribal  
19 convening earlier in July at Scripps, and also to  
20 Chairwoman Yee for not only showing up, but showing up and  
21 staying and listening. I think that really is the key  
22 element here in terms of relationship building.

23 While we're grateful for the uplifting of the  
24 concerns of native nations and recognizing the importance  
25 of the need for government-to-government consultation, I

1 do want to reflect for a moment on what we recommended  
2 that's missing with respect to tribal lands in the updated  
3 draft.

4           And that specifically is we recommended that the  
5 wording of the EJ principles commit to returning land to  
6 California nations, particularly landless tribes when  
7 possible. I recognize that this may seem like somewhat of  
8 a controversial or radical statement, but I'd like for us  
9 all to take a minute to reflect and hopefully those that  
10 were at our convening can realize this as well. And you  
11 highlighted it in your staff report. And that's that the  
12 issue of most commonality for the federally recognized,  
13 non-recognized tribes with economic resources, tribes  
14 without resources, the one issue that every single  
15 representative at our coastal convening mentioned was that  
16 we don't have land on which to rebury our ancestors.

17           And what I'd like you all to specifically reflect  
18 on regarding that today is that fundamentally one of the  
19 things that it means for us to be human is the ability to  
20 care for our dead. And so while we know and acknowledge  
21 and the State and many State agencies have come a long way  
22 in recognizing, and acknowledging, and beginning the hard  
23 process of grappling with what it means that the State of  
24 California officially called for the genocide of  
25 California indians. The reality is that we're here and

1 State Lands Commission, as the largest land-holding entity  
2 in the state today, I think has a real opportunity to make  
3 sure that the State of California is actively recognizing  
4 the humanity of native nations.

5           And I want to reflect also that what the request  
6 was from these native nations wasn't land to bury our  
7 newly dead. It's land to rebury our ancestors whose  
8 remains have been unearthed and desecrated in the most  
9 violent of ways by what it means to have been dispossessed  
10 from our land originally.

11           So we strongly encourage you to consider  
12 re-including that statement about a commitment to  
13 returning land to landless tribes, because fundamentally  
14 if we have no place to rebury our dead, we are not  
15 fundamentally seen as human by the entities.

16           Thank you.

17           MS. THOMAS: In addition, we want the -- we want  
18 to encourage the Commission to look at its trustee ports  
19 to adopt zero-emission strategies and targets to mitigate  
20 and eliminate negative health impacts from port emissions.  
21 This is especially important for communities we represent  
22 here at the -- in the San Pedro Bay ports - excuse me - as  
23 they are the single largest source of air pollution in our  
24 region. And, yes, the ports are making a lot of strides  
25 to reach zero, but we reject those steps that should

1 include combustion-based technologies that will continue  
2 to contribute to our poor air quality, while delaying our  
3 transition to a clean and sustainable society powered by  
4 renewable energy.

5           Considering the Commission's role with permitting  
6 and leasing agreements, you all are a critical piece here  
7 in getting us to zero emissions. We believe that the  
8 Commission can go farther in its efforts to combat climate  
9 change, specifically with commitments to moving us away  
10 from the extraction and use of fossil fuels. The  
11 Commission can also play a leadership role in  
12 environmental laws, such as SB 350 and AB 617 and  
13 determining how you see the agency's position in  
14 implementing these laws.

15           Along with that, we'd like the Commission to  
16 identify where there are gaps in its collaboration with  
17 other agencies to achieve these pollution reduction goals.  
18 The effects of climate change are here and it requires  
19 collective action by all of us to stop it and reverse its  
20 course.

21           Lastly, we'd like to see the Commission  
22 exercising its power where applicable to transform  
23 industries that pollute our communities and environment.  
24 The Commission must also use its powers to address  
25 historical harms by fostering positive relationships with

1 tribes and EJ communities.

2           Beyond the subject of climate change, we must  
3 recognize that communities of color and indigenous  
4 communities in particular have been experiencing  
5 environmental injustices for decades, including land  
6 grabs, resource restrictions, and water contamination,  
7 many of which persist today.

8           We come with these recommendations to point out  
9 numerous opportunities for the Commission to really lend  
10 -- lean in - excuse me - to take up the mantle of  
11 environmental justice and equity through its policies and  
12 actions. We're looking forward to dialogue and engagement  
13 with you all, and the Commission's vote on the EJ policy  
14 in October, so we can begin implementation.

15           Thank you.

16           CHAIRPERSON YEE: Thank you very much for all of  
17 your testimony, and appreciate you're ongoing  
18 participation in this effort.

19           Good afternoon

20           MR. GIFFEN: Good afternoon. Good afternoon,  
21 Chair Yee, Commissioners and staff. My name is Jason  
22 Giffen. I'm here on behalf of the Port of San Diego. I  
23 would first like to start by thanking Commission -- the  
24 Commission, as well as Commission staff, as well as  
25 everyone else who has come and spoke and has participated

1 in the development of the policy so far, as well as some  
2 of our friends from down south like WILD Coast.

3 I think it's clearly a very important topic and  
4 providing time for public feedback and outreach, including  
5 the roundtable is terrific. In fact, when I commented on  
6 this item to the Commission back in June, I welcomed a  
7 roundtable in southern California. And we're really happy  
8 to see an upcoming roundtable like Sheri mentioned, which  
9 will be coming close to San Diego right here in Long Beach  
10 around the corner.

11 As you know, the Port of San Diego is unique in  
12 its diversity in both geography and uses in our  
13 surround -- surrounding communities. And as a trustee  
14 port, we have a mission to protect Public Trust uses,  
15 commerce, navigation, fisheries, recreation, and  
16 environmental stewardship.

17 To balance these different uses, the Port of San  
18 Diego has been taking a proactive, innovative, and  
19 thoughtful approach to strategically plan and manage for  
20 these uses into the future. In this role, one important  
21 initiative for us is our update to our port master plan,  
22 which will include policy guidance for high level elements  
23 such as natural resources, mobility, economic development,  
24 and environmental justice.

25 And, in fact, in October, we will be discussing

1 environmental justice in detail with our board as a part  
2 of one of our next port master plan update workshops that  
3 we've got two more scheduled for the -- for this year.

4           As a trustee port, we look forward to seeing this  
5 policy progress and hope the themes and principles from  
6 the final policy can inform our own work, such as the port  
7 master plan I mentioned. We appreciate the inclusion of  
8 shared values like a clean environment, reducing impacts,  
9 supporting cleaner industry, many of which we're currently  
10 work -- currently undertaking through collaboration with  
11 local, regional, and State partners, including locally,  
12 the environmental health coalition, as well as our  
13 regional water quality control board, the Energy  
14 Commission, Air Resources Board, just to name a few.

15           And we're also tracking very closely the work the  
16 Coastal Commission is doing related to this topic with  
17 their latest information presented in August.

18           So with that, I'd like to thank you. And we look  
19 forward to continuing working with you, staff, and  
20 stakeholders as -- on this pertinent topic. So thank you  
21 very much.

22           CHAIRPERSON YEE: Thank you, Mr. Giffen very much  
23 for being here.

24           All right. Comments, Commissioners?

25           Ms. Lucchesi, any?

1 EXECUTIVE OFFICER LUCCHESI: No.

2 CHAIRPERSON YEE: Okay. Very good. Thank you.  
3 Thank you to all of the speakers on this item.

4 The next item is Item 113. This will be a  
5 presentation by the Port of Long Beach representatives.  
6 And again, thank you for welcoming us and allowing us to  
7 meet in your chambers. And let me just call up the  
8 presentation.

9 (Thereupon an overhead presentation was  
10 presented as follows.)

11 MS. TOMLEY: Thank you very much. It's our  
12 pleasure. Thank you for having your meeting here, making  
13 it very convenient for me to be able to just come straight  
14 downstairs and be able to join you today. So we  
15 appreciate everybody coming -- coming today, and we also  
16 appreciate you inviting us to give an update on some of  
17 the activities that we've been doing as well.

18 What I'm going to be talking about today is our  
19 Clean Air Action Plan, which is a joint effort that we  
20 have been developing and implementing for more than a  
21 decade with our partners over at the Port of Los Angeles.  
22 And I'd like to point out that Chris Cannon, my colleague  
23 from the Port of L.A. is here in the audience as well.

24 This has been a strong partnership and something  
25 that we work together on a daily basis to make sure that



1           That said, there is much work that still needs to  
2 be done. And so as a result of that recognition, we went  
3 through the effort of developing our Clean Air Action Plan  
4 update that was just recently approved by our boards this  
5 last November.

6                               --o0o--

7           MS. TOMLEY: And what that days is it lays out  
8 going forward the strategies that we need to continue to  
9 focus on over the next coming decades looking at a  
10 long-term view of what we need to make sure that we're  
11 achieving to address community health concerns, regional  
12 air quality concerns, as well as global impacts with  
13 climate change, and making sure that we're addressing  
14 greenhouse gas reductions as well.

15           The Clean Air Action Plan that we just approved  
16 was developed over a roughly two-year period. We had a  
17 very extensive public outreach process. We had a lot of  
18 meetings with different stakeholder groups, both in  
19 smaller settings as well as larger more formal workshop  
20 settings.

21           We -- it was very important to us to make sure  
22 that we got a lot of public input as we were developing  
23 this, because we knew the implications associated with  
24 this plan, and the long-term vision that we were making.  
25 We're going to have long-term effects on how we move

1 forward with port operations.

2           And so it was very important to us to make sure  
3 that we got a lot of input. The strategies that we  
4 developed are across the Board looking at all of the  
5 different port source categories of emissions, and looking  
6 at the -- at a variety of different strategies that we  
7 could implement to address those impacts going forward.

8                               --o0o--

9           MS. TOMLEY: One of the areas that received a lot  
10 of attention was the goals that we established for  
11 ourselves to move towards zero emissions, so specifically  
12 looking at the on-road trucks that provide drayage service  
13 for cargo in and out of the ports, looking to transition  
14 those trucks to zero emissions by 2035. And for the  
15 terminal equipment that operate within the Port facilities  
16 to transition that to zero emissions by 2030.

17           These are very ambitious goals, and they come  
18 with a lot of challenges. And that's where a lot of our  
19 attention has been focused since the Clean Air Action Plan  
20 was adopted last November, and actually even prior to  
21 that, looking at what we need to do to make sure that we  
22 can stay on track with meeting those goals.

23                               --o0o--

24           MS. TOMLEY: Since the cap was adopted, we've  
25 also been focusing very aggressively on the implementation

1 strategies for our Clean Trucks Program. The truck  
2 program is one of the areas that has continued to receive  
3 a lot of attention. Trucks travel through the local  
4 communities. They're very visible. They have a large  
5 environmental impact from greenhouse gases. They are  
6 actually our largest source of emissions, even to this  
7 day. We've made a lot of progress for diesel particulate  
8 matter reductions, and nitrogen oxide reductions. But we  
9 still continue to have a challenge with emissions from  
10 on-road trucks.

11 So one of the things that we just recently got  
12 approved by both ports Board of Harbor Commissioners was  
13 an amendment to our existing tariff that requires that any  
14 new trucks that register for port drayage truck service  
15 after October 1st have to be model year 2014 or newer.  
16 Existing trucks that are currently doing operations will  
17 continue to be grandfathered, but any new trucks coming in  
18 need to meet 2014 model year standards.

19 And that ensures that they have the cleanest  
20 certified engines that are available, they meet the 2010  
21 EPA standard, and it also incorporates the on-board  
22 diagnostics which help us to ensure that the emission  
23 control systems are working. And also in 2014 was a year  
24 that there were greenhouse gas requirements for the -- for  
25 the trucks to ensure that they were designed in a way to

1 minimize greenhouse gas pollution.

2           And so those trucks, at this point, we want to  
3 see more of those coming into the system. Currently,  
4 about half of the truck fleet meet the 2010 standards.  
5 The remaining half are 2007s to 2009s. But the intent is  
6 to try to modernize that fleet as quickly as possible.

7           And by 2020, one of the next steps in our Clean  
8 Truck Program is to move forward with implementing a truck  
9 rate, where all trucks will need to pay a rate to access  
10 the ports, but there will be exemptions for trucks that  
11 meet near zero or zero emission standards.

12           And so one of the efforts that we have underway  
13 right now is to evaluate from an economic standpoint  
14 implementation of that rate to help inform what that rate  
15 needs to be set at, and what types of potential impacts  
16 that may have for cargo diversion, effects on the trucking  
17 industry, and our ability to move forward with meeting our  
18 goals.

19           So that -- we are working on that study right  
20 now, along with some other efforts that will also be  
21 important for us as we move forward with establishing that  
22 rate. Some of the other things that we identified that we  
23 need to do before the rate comes into effect in 2020 is to  
24 complete a feasibility assessment of the technologies  
25 near-zero and zero-emission technologies, get an

1 understanding of the availability of those trucks, and  
2 also to establish the rate collection mechanism. We  
3 currently don't have a mechanism to be able to charge a  
4 fee to the benefit of cargo owners. And so we need to go  
5 through a process to make sure that that's set up.

6           And the final piece is also working with the  
7 regulatory agencies. And at the State level, we need to  
8 have a near-zero-emission standard and zero-emission  
9 standard defined by the State, so that we have that to  
10 point to. They're the agency that can establish emission  
11 standards for engines, and we need to work with them to  
12 make sure we're pointing to the standard that they've  
13 established.

14           We've also been focusing on early deployment  
15 opportunities and looking at partnerships with South Coast  
16 Air Quality Management District. Both ports will be  
17 moving forward to -- with our boards here shortly to  
18 commit to \$2 million in funding to help supports a grant  
19 that the air quality management district was able to  
20 receive from the California Energy Commission. And the  
21 funding will be used to deploy trucks that meet the 0.02  
22 gram NOx standards as quickly as possible.

23           We'll be deploying that through that grant  
24 program 140 of those trucks here in the near term. And  
25 it's looking for those types of partnerships and

1 opportunities to bring in those cleanest trucks as quickly  
2 as possible, that we'll continue to focus on.

3 --o0o--

4 MS. TOMLEY: I mentioned our feasibility  
5 assessments. These will be a critical piece to help  
6 inform our progress in moving forward with our  
7 zero-emission goals. And what we need to do through these  
8 studies is really get a sense of the technical viability  
9 of these pieces of equipment, how well can they meet the  
10 duty cycle needs of the operation in the port. We also  
11 will be looking at the commercial availability and the  
12 support by the manufacturers for these pieces of  
13 equipment, warranties and parts and servicing obligations  
14 that will be critical for the operators as they move  
15 forward with these new technologies.

16 Also, assessing the state of the infrastructure  
17 availability to deploy these new technologies, they are  
18 using different types of infrastructure than what we  
19 currently use, so making sure that we've got charging  
20 availability, hydrogen fueling the supporting  
21 infrastructure for their deployment, and also the economic  
22 considerations, looking at the cost, cost effectiveness,  
23 impacts on the workforce, and others.

24 These will be studies that we do. The first one  
25 by the end of this year, and then we'll be doing updates

1 to these every three years or more frequently as there are  
2 significant developments that we need to make sure that we  
3 have a strong understanding of.

4 And this will help us to identify our progress  
5 towards meeting our goals, and where there are challenges  
6 that still exist that we need to focus our efforts to  
7 overcome.

8 --o0o--

9 MS. TOMLEY: We have many different  
10 demonstrations that are underway at both ports and working  
11 with AQMD and partnership. This is going to be a major  
12 focus of our attention in the next several years. These  
13 technologies that we're counting on to meet our goals  
14 don't exist today, and we're developing them with the  
15 manufacturers and putting them into demonstration with our  
16 operators to get them deployed and developed as quickly as  
17 possible. But there's still a lot of information that we  
18 need to gather and that we need to make sure that we're  
19 informing the manufacturers of, so that we can make sure  
20 that we're developing equipment that meets our needs.

21 And so these demonstrations we have been  
22 fortunate, both ports have been fortunate, in receiving a  
23 lot of grant funding to help support them, which has been  
24 matched by port and operator funds as well. And we'll  
25 continue to focus a lot of our attention in the coming

1 years on these demonstrations to understand how these  
2 technologies can support our efforts.

3 --o0o--

4 MS. TOMLEY: And finally, we've been  
5 continuing -- on the heels of the Clean Air Action Plan  
6 development process, we continue to have a lot of public  
7 engagement and public outreach through the implementation  
8 phase. We've established a quarterly stakeholder group  
9 meeting that we meet with the public and talk about  
10 updates on all of the different efforts that we have  
11 underway and receive input from the public on the things  
12 that we're doing. We continue to have smaller group  
13 meetings with key stakeholders on the development of  
14 specific activities. And this public input and support,  
15 as we move forward, will continue to be critical to inform  
16 our process as we go forward.

17 So that's a brief update on our Clean Air Action  
18 Plan process, and I'd be happy to answer any questions if  
19 you have any.

20 CHAIRPERSON YEE: Great. Thank you very much for  
21 the great overview. Really appreciate you coming before  
22 the Commission.

23 Commissioners, comments?

24 No.

25 Okay. I have a couple questions, if I might.

1 MS. TOMLEY: Please.

2 CHAIRPERSON YEE: So obviously very ambitious  
3 programs and great progress as we -- as you've reported.  
4 Are -- you mentioned some grant funding, are there other  
5 sources of -- are there -- is that State grant funding or  
6 is it from other sources?

7 MS. TOMLEY: Primarily, we have been going after  
8 State California Air Resources Board and California Energy  
9 Commission funds. A lot of it's been coming through  
10 cap-and-trade funding. We're looking forward to the VW  
11 settlement funds, as those start to be administered.

12 We've also been successful in receiving some DERA  
13 funds through EPA that have helped in a few cases with  
14 harbor craft retrofits and some zero-emission equipment at  
15 our middle harbor terminal. But the majority of the  
16 funding, especially for these demonstration projects,  
17 which are really critical for understanding how these  
18 technologies works, that funding has primarily been coming  
19 from the California Energy Commission and California Air  
20 Resources Board to this point.

21 All of those funds also have pretty significant  
22 matching fund requirements, so all of that grant funding  
23 has been leveraged with port funds, and funds from the  
24 technology manufacturers, as well as the operators.

25 CHAIRPERSON YEE: Great. Thank you.

1           And anything else that this Commission can do to  
2 enhance your efforts?

3           MS. TOMLEY: I think it -- I think having updates  
4 like this and talking about the efforts that we're doing,  
5 sharing information, answering any questions that you  
6 have, I think that we enjoy having this type of dialogue  
7 and this type of partnership. Your agency has been very  
8 helpful with us as we've been moving forward with a lot of  
9 our community grants programs, and our climate adaptation  
10 plan that we submitted a little while ago. All of these  
11 efforts we've been doing in coordination with your staff  
12 and we appreciate that partnership.

13           So I think these continued discussions are  
14 helpful and finding out where there are opportunities for  
15 us to partner and align our efforts to meet these common  
16 goals, I think, is always what we look forward to.

17           CHAIRPERSON YEE: Great. We welcome that as  
18 well. And thank you. You probably were here during the  
19 time that the speakers from the Environmental Justice  
20 Working Group were here, and obviously want to keep the  
21 community also well-informed and updated and plugged in as  
22 well.

23           MS. TOMLEY: Absolutely.

24           CHAIRPERSON YEE: Okay. Very Good. Ms.  
25 Lucchesi, any comments on this item?

1 EXECUTIVE OFFICER LUCCHESI: No.

2 CHAIRPERSON YEE: Really appreciate you spending  
3 the time with us.

4 Thank you

5 MS. TOMLEY: Great. Thank you.

6 CHAIRPERSON YEE: Okay. Are next item --  
7 actually, I'm very excited about this next item. Yes.

8 We will have informational item, Item C 114, we  
9 will be receiving a presentation from the director of the  
10 Scripps Institution of Oceanography, whom I've had the  
11 pleasure of meeting recently, Dr. Leinen.

12 And just some exciting things that are happening  
13 at the Institution that certainly most of it within, I  
14 would say, the -- the jurisdiction of the Institution.  
15 But you do so much more and I hope you'll be able to just  
16 really give us a flavor of all of the different areas  
17 where you're making a contribution.

18 (Thereupon an overhead presentation was  
19 presented as follows.)

20 DR. LEINEN: Okay. I'm very happy to do that.  
21 What I'd like to do is talk a little bit about something  
22 that you've heard quite a bit about and that's this  
23 concept of the blue economy.

24 CHAIRPERSON YEE: Yes.

25 DR. LEINEN: And talk a little bit about how that

1 relates to other issues like the environment,  
2 conservation, research, education.

3 So, let me see if I can make sure --

4 --o0o--

5 DR. LEINEN: Great.

6 So just a couple words about what people consider  
7 when they talk about the blue economy. I think that there  
8 are a whole handful of major elements that are  
9 traditionally part of the blue economy, food resources,  
10 fisheries, aquaculture, transportation certainly and its  
11 use. Global trade is marine trade. More than 95 percent  
12 of global trade takes place on the ocean.

13 --o0o--

14 DR. LEINEN: Oil, gas, other energy resources.  
15 Another major sector --

16 --o0o--

17 DR. LEINEN: -- mineral resources. We  
18 traditionally think of that as sand and gravel and so  
19 forth, near shore. But new developments looking at the  
20 potential for deep-sea mining and other kinds of mineral  
21 resources.

22 --o0o--

23 DR. LEINEN: Water resources. So it's not just  
24 the ocean as the salt water, but also what we do with it  
25 in terms of desalinization. Also, the interaction between

1 fresh water and the ocean. A great example there is the  
2 interaction between rivers, anadromous fish, and the  
3 ocean, so that we can't decouple those.

4 --o0o--

5 DR. LEINEN: Other biological resources. So  
6 we're developing whole new classes of very important  
7 compounds that are -- that are developed from marine  
8 organisms. For example, we have in clinical trials a new  
9 antibiotic that was developed at Scripps Oceanography from  
10 a marine organism, which if it went into drug use would be  
11 the first new antibiotic in 25 years. If you think about  
12 antibiotic resistance, it's not just drugs, but other  
13 kinds of molecules that are unique that come from this  
14 incredible environment.

15 --o0o--

16 DR. LEINEN: Marine technology. A rapidly  
17 growing area to look at using that technology for -- for  
18 example, for structural analysis and inspection, for being  
19 able to characterize environments for their use, also for  
20 a wide variety of conservation and environmental quality  
21 issues.

22 --o0o--

23 DR. LEINEN: So the size of that traditional blue  
24 economy has recently been estimated. And I know that  
25 you've had presentations, so this is just a reminder for





1 DR. LEINEN: Another important piece of this is  
2 avoiding loss. So if you think about -- we've been  
3 talking a lot about sea level rise. And obviously, what  
4 we're interested in is avoiding loss in that blue economy,  
5 or the coastal economy as a result of sea level rise. And  
6 that implies understanding sea level rise. It implies the  
7 whole process of adaptation to sea level rise, which is  
8 also a part of this very vibrant ecosystem.

9 Another piece is other kinds of scientifically  
10 informed decision making. And the reason that you have a  
11 picture of Oroville Dam there, which we all know very  
12 well, is because it is intimately related to the ocean.

13 Oroville Dam and the threats to Oroville Dam were  
14 as a result of atmospheric rivers, a term that probably no  
15 one in California understood 10 years ago, but everybody  
16 in California understands now.

17 That is an oceanographic phenomenon. It begins  
18 in the ocean. That stream of high water vapor air coming  
19 to the land is an oceanic phenomenon. It's controlled by  
20 the ocean. But we can harness that in many ways. You  
21 know, the typical questions would be when is the  
22 atmospheric river coming, is it going to hit me, and how  
23 much rain is it going to bring?

24 And if you look at that on one side, it's risk  
25 avoidance, on the other side, it's how can we use that

1 water? Right now, we manage our reservoirs in California  
2 in a way that's controlled by the Army Corps of Engineers,  
3 and it requires that we discharge water at the beginning  
4 of the rainy season, whether we're going to have a lot of  
5 rain or not, because you don't want to endanger the dam.  
6 You don't want to be releasing water at the same time it's  
7 raining like crazy. You'll create more flooding.

8           If we can do three to five days prediction of an  
9 atmospheric river, the Army Corps of Engineers is willing  
10 to consider changing its rules of operation. And their  
11 estimate is that we could save \$365 million a year in  
12 water in California that goes to tide now, just because of  
13 the requirements. That's another whole piece of how the  
14 ocean affects this blue economy. That's very important  
15 for us.

16           Understanding the characteristics of the ocean.  
17 Just to the north in Oregon, the aquaculture industry  
18 there has been very strongly affected by ocean  
19 acidification.

20                               --o0o--

21           DR. LEINEN: So understanding those processes,  
22 being able to monitor them, developing adaptation  
23 processes that allow that aquaculture industry to move  
24 forward are something that we're going to have to be  
25 considering for ocean characteristics as well.



1 as well as emerging concerns are something that California  
2 takes very seriously.

3 --o0o--

4 DR. LEINEN: So I'd just like to give you one  
5 last example of how getting policy right is totally  
6 dependent on the best science.

7 So you have two maps up there. And both of them  
8 are maps of sea level rise. Red colors are faster sea  
9 level rise. Blue colors are lower rates of sea level  
10 rise. The left-hand map is the entire record from 1993  
11 when we first had satellites that allowed us to look at  
12 this globally. And as you can see, the Western Pacific  
13 Ocean has much higher rates of sea level rise than the  
14 Eastern Pacific Ocean. They're actually three times  
15 higher than the Eastern Pacific Ocean.

16 The right hand -- and so for a long time, people  
17 said, oh, you know, we don't have as much to worry about  
18 in California as elsewhere.

19 The right-hand map is the last decade. And as  
20 you can see, the whole regime has shift -- shifted. And  
21 now the Eastern Pacific has much higher rates of sea level  
22 rise. If we developed our whole sea level action plan  
23 based on the diagram on the left, we might completely  
24 mispredict what California was -- is going to face in the  
25 future.



1 School District. So we develop curricular materials for  
2 the school district. We do teacher training workshops,  
3 and we work in direct partnership with the school district  
4 to do that.

5 One of the things that we've been talking about  
6 in -- for the future is the development of a full  
7 curriculum that would be totally congruent with the next  
8 generation science standards. And not do that just with  
9 Scripps and San Diego Unified, but bring in others from  
10 the university and the Cal State system, so that  
11 California could have something that was a basic marine  
12 education framework that could then be adapt -- that was  
13 adaptable to the wide variety of areas that we look at.

14 And it would also bring these interesting  
15 connections in, like rainfall and so forth, so that people  
16 in -- it would be as relevant for Fresno as it is for  
17 Santa Barbara.

18 ACTING COMMISSIONER WONG-HERNANDEZ: Thank you.

19 CHAIRPERSON YEE: Okay. Other questions?

20 Yes, Commissioner Viola.

21 ACTING COMMISSIONER VIOLA: Just a quick comment.  
22 I'm grateful to Chair Yee for introducing me as a staff  
23 scientist. My background is in marine biology. So  
24 speaking from that perspective, I'm just very grateful for  
25 this work on the blue economy and it's role in elevating

1 the importance of the ocean to most of California's  
2 livelihood. And this work is so important, and especially  
3 with how it breaks -- breaks different sectors out of  
4 their silos of aquaculture, and energy research. And  
5 taking this holistic view can really go a long way towards  
6 informed policy And decision making.

7 So thank you for that.

8 DR. LEINEN: I wish every person at Scripps could  
9 hear you say that.

10 (Laughter.)

11 DR. LEINEN: And to --

12 ACTING COMMISSIONER VIOLA: This is recorded.

13 (Laughter.)

14 DR. LEINEN: Right. And they can. Because  
15 that's such, you know, a perfect characterization of it.  
16 That, you know, we've got to get away from those silos to  
17 be able to look at it as a system.

18 CHAIRPERSON YEE: Thank you. Thank you,  
19 Commissioner Viola.

20 Dr. Leinen, I'm going to ask you to share, if you  
21 would, something that you shared with me when we met, and  
22 that is -- I mean, really talking about getting out of  
23 your silos, just the role that Institution has played  
24 relative to helping some of our first responders and those  
25 on the line fighting out fires, that we're unfortunately

1 seeing more commonly today.

2 DR. LEINEN: Right. So although our name is  
3 oceanography, we're also the Earth Science Department of  
4 UC San Diego. And so we have a whole group of people that  
5 study seismology. And for years they've been studying the  
6 San Jacinto Fault which is the extension of the San  
7 Andreas that goes down east of San Diego.

8 And it's a very dangerous segment, because it  
9 hasn't gone off for -- with a large earthquake for over  
10 300 years. So to do that, we instrumented the San Jacinto  
11 with, you know, every kind of seismometer known to man,  
12 strain gauges, you name it. It's a whole quarter section  
13 of instrumentation.

14 And we wanted to be able to get that data back to  
15 Scripps very quickly, so we developed, with National  
16 Science Foundation funding, a microwave communication  
17 system that -- so that the data is sent via microwave to  
18 the top of mountain tops, and then from mountain tops back  
19 to Mount Soledad in San Diego and down to Scripps.

20 So in order to deal with the potential for  
21 vandalism, we put cameras on those -- those stations.  
22 They had complete meteorology and cameras. And  
23 originally, they were fairly rudimentary cameras, but they  
24 did look out across the mountain tops.

25 Back in 2003 when we first started having

1 wildfires that caught the attention of everybody, some of  
2 the first responders became aware of the fact that we had  
3 these camera systems, and said can we use that to  
4 triangulate to understand how the fires are moving?

5           And so we started working with them. And over  
6 time, that has turned into a system of imaging that  
7 CalFire and first responders are using very, very  
8 extensively. And we're in the process now of putting a  
9 new generation of cameras on those mountain tops that can  
10 not only pan the area, but also tilt, and zoom, and can be  
11 controlled directly by first responders in their -- in  
12 their offices, rather than having to come to UC San Diego.

13           So the San Diego County Commission has just  
14 provided funding to be able to do that. Sonoma County is  
15 working with us to expand this capability into Sonoma, and  
16 we're talking with other parts of the, you know, natural  
17 resources in California about expanding this capability.

18           It has -- the first responders have told us that  
19 not only does it give them an extraordinary jump on the  
20 fire, but because it's combined with meteorology, where  
21 the fire is going to go, so that they can deploy people,  
22 not only effectively but also safely, and keep them out of  
23 areas where the fire is going to move very rapidly.

24           So that's probably something that you wouldn't  
25 expect from the Scripps Institution of Oceanography, but

1 it's an example that this is one big environmental  
2 ecosystem.

3 CHAIRPERSON YEE: Thank you very much.

4 Any other comments, Commissioners?

5 Thank you very much, Dr. Leinen.

6 DR. LEINEN: Thank you so much.

7 CHAIRPERSON YEE: It's been a pleasure to have  
8 you. Thank you.

9 All right, Commissioners, our next item is Item  
10 115. And this is to consider a resolution to adopt an  
11 advance a vision for California's coastal future. And I  
12 believe we have a presentation on this.

13 Good afternoon.

14 STAFF ENVIRONMENTAL SCIENTIST FARNUM: Hi. Good  
15 afternoon.

16 (Thereupon an overhead presentation was  
17 presented as follows.)

18 STAFF ENVIRONMENTAL SCIENTIST FARNUM: While this  
19 is pulling up here -- do we have a presentation coming up?

20 AGP VIDEO: Yes.

21 STAFF ENVIRONMENTAL SCIENTIST FARNUM: Okay.  
22 I'll just introduce myself. I'm Maren Farnum. I'm an  
23 Environmental Scientist here with the Commission.

24 AGP VIDEO: Do you have a presentation?

25 STAFF ENVIRONMENTAL SCIENTIST FARNUM: I did have

1 a presentation. I have it here on my memory stick, if  
2 there's still time to put it on. I'm sorry.

3 I can go ahead and start while they're loading  
4 that up for you.

5 CHAIRPERSON YEE: Okay.

6 STAFF ENVIRONMENTAL SCIENTIST FARNUM: So today  
7 we are asking you -- and actually, Dr. Leinen was a  
8 perfect intro I think to this item. We are asking you as  
9 our Commissioners to adopt a resolution. This is a vision  
10 for California's coastal future, one in which we protect  
11 beaches and coastal habitats for future generations from  
12 threats of sea level rise.

13 And again, we'll just wait as this loads up. But  
14 we all know that our coastal habitats, and beaches, and  
15 native species are among the state's most valuable natural  
16 and cultural resources. As summer winds down, I don't  
17 think I need to tell any of the parents in this room, or  
18 any of the family members just how important the beach is  
19 to them and their loved ones.

20 Temperatures are soaring every summer. They're  
21 getting hotter and hotter. We are now dealing with the  
22 devastating effects of wildfires in many of our  
23 communities, and smoke that coats the air. And free and  
24 public access to beaches and coastal waters are a real  
25 life line to all of us here in the state.

1                   --o0o--

2                   STAFF ENVIRONMENTAL SCIENTIST FARNUM: Coastal  
3 tourism and recreation account for nearly 50 percent of  
4 our direct ocean economy, which was last valued around \$42  
5 billion a year. And our coasts are home to vital animal  
6 and plant communities. Hosting the largest concentration  
7 of endemic or native species that are found nowhere else  
8 in the world.

9                   So coastal ecosystems support and protect  
10 wildlife, our human communities, and sustain our  
11 subsistence and commercial fisheries as well.

12                   --o0o--

13                   STAFF ENVIRONMENTAL SCIENTIST FARNUM: Climate  
14 change is already causing sea level rise, and it's  
15 happening at an accelerated rate due steadily to steadily  
16 increasing temperatures and the rapid melting of the polar  
17 ice sheets and glaciers around the globe. We could see up  
18 to five feet of sea level rise by the end of this century.  
19 And these higher water levels will change the coastal  
20 landscape that we see now.

21                   --o0o--

22                   STAFF ENVIRONMENTAL SCIENTIST FARNUM: Ecosystems  
23 of the near-shore environment such as the upper beach, the  
24 dunes, the wetlands and salt marshes are at major risk  
25 from serious losses, unless they have some space to move



1           STAFF ENVIRONMENTAL SCIENTIST FARNUM: So what  
2 does all that mean to lose all of that area?

3           We will lose some of these ecological values that  
4 are really important to us. There will be a significant  
5 loss of habitat, as many sensitive and highly productive  
6 coastal areas like rocky, intertidal, wetlands, and salt  
7 marshes are drowned, and adjacent upland habitats like the  
8 upper beach and dunes are converted to other types of  
9 lands like intertidal areas.

10           So without the space to move back into these  
11 upland areas that are very important to this  
12 interconnected network of ecosystems will disappear  
13 altogether. This means we'll also see an irreplaceable  
14 loss of species, which could have cascading impacts on  
15 natural resource communities in our own food webs.

16           We're also going to have an impact to the  
17 economic values that we derive from these spaces. So  
18 again, loss of these ecosystems that support critical  
19 fisheries and recreational activities, these places serve  
20 as nursery grounds, for fisheries, they provide us with  
21 natural storm protection, and they regulate pollutants  
22 that impair water quality. They also help us to mitigate  
23 greenhouse gas emissions themselves by serving as carbon  
24 sinks, and absorbing all that carbon from the atmosphere.

25           These places are also really important to us

1 culturally and for many folks they retain high spiritual  
2 values as well. These are lands and waters that we here  
3 in California, and around the world, are drawn to for our  
4 recreation and our health.

5 So in order to face these challenges, we are  
6 asking that you, our, Commissioners adopt the following  
7 resolution:

8 --o0o--

9 STAFF ENVIRONMENTAL SCIENTIST FARNUM: Science  
10 guided collective action, we will maintain and enhance  
11 California's coastal habitats in the face of sea level  
12 rise and other climate change-induced challenges ensuring  
13 a protected coast for future generations to enjoy. And  
14 furthermore, we will continue our engagement with tribal  
15 groups, disadvantaged and vulnerable communities who live,  
16 visit, and recreate along the coast to ensure equitable  
17 participation in the coastal planning processes, and  
18 equitable access to the coast.

19 --o0o--

20 STAFF ENVIRONMENTAL SCIENTIST FARNUM: How are we  
21 going to do this?

22 We're going to continue to integrate sea level  
23 rise science and considerations into our internal  
24 processes here at the Commission, including working with  
25 our lessees and coastal communities to inform and prepare

1 folks for the adaptations and strategies that we need to  
2 employ to maximize coastal resiliency and the preservation  
3 of Public Trust Lands and assets. We'll also be doing  
4 that in partnership with our granted lands partners, such  
5 as the ports, harbors, and marinas.

6 We're going to continue those partnerships with  
7 local, State, federal, community, and tribal nations to  
8 plan for and implement strategies to protect beaches and  
9 habitats, and we're going to engage with and learn from  
10 those communities, particularly those that will be most  
11 impacted and are disproportionately bearing the effects of  
12 climate change for equitable planning and decision making.

13 --o0o--

14 STAFF ENVIRONMENTAL SCIENTIST FARNUM: So as you  
15 can see we are going to work with many, many folks, many  
16 partners to realize this far-sighted vision. We'll be  
17 joined in our pledge by our sister coastal and ocean  
18 resource agencies at the upcoming Governor's Global  
19 Climate Summit in September to kick off the Hope For The  
20 Coast Campaign that will support our collective efforts  
21 and guide us to reach these ambitious goals.

22 So thank you very much for your consideration,  
23 and adoption of this important resolution.

24 CHAIRPERSON YEE: Thank you very much, Maren.

25 Questions, Commissioners?

1           Comments?

2           Yes. Commissioner Viola.

3           ACTING COMMISSIONER VIOLA: As you have  
4 highlighted, Maren, we're in a time of unprecedented  
5 global change for the environment. And our resource  
6 agencies need to be nimble and responsive to this, and as  
7 well as acting with vision. So having a document like  
8 this to guide our decision making is a great step forward,  
9 so thank you for your work on this.

10           STAFF ENVIRONMENTAL SCIENTIST FARNUM: Thank you,  
11 Commissioner. Appreciate it.

12           CHAIRPERSON YEE: And, yes, Commissioner  
13 Wong-Hernandez.

14           Okay. Nothing. Okay.

15           Thank you for mentioning that this is really a  
16 commitment on our part, along with our sister agencies,  
17 that we will be making at the up coming Governor's Climate  
18 Action Summit, and particularly want to just thank the  
19 work that the staff did on this.

20           Obviously, we're -- we have unique jurisdiction  
21 from some of our sister agencies, and I think the  
22 resolution also reflects that as well.

23           So no other comments. Is there a motion to adopt  
24 the resolution?

25           ACTING COMMISSIONER WONG-HERNANDEZ: Move

1 approval of the resolution.

2 CHAIRPERSON YEE: Okay. We have a motion by  
3 Commissioner Wong-Hernandez.

4 ACTING COMMISSIONER VIOLA: Second.

5 CHAIRPERSON YEE: Seconded by Commission Viola.  
6 Without objection, the resolution is adopted.  
7 Thank you very much.

8 STAFF ENVIRONMENTAL SCIENTIST FARNUM: Thank you.

9 CHAIRPERSON YEE: Thank you.

10 So, Commissioners, we have -- oh, I'm sorry, we  
11 had two speakers on this. Let me just see if we still  
12 have them on hand.

13 Alyssa Mann and Jason Giffen.

14 MS. MANN: Hi. Good afternoon, Chair and  
15 Commissioners, and members of the public. I'm thrilled  
16 that you just adopted this resolution.

17 (Laughter.)

18 MS. MANN: So my comments might not be as  
19 important anymore, but I'll still take a moment to tell  
20 you a little bit about why this is so important to us.

21 So I'm here to voice my enthusiastic support of  
22 the resolution before you adopting this bold vision, which  
23 we call Hope For The Coast. And I can't emphasize enough  
24 how important this action is.

25 Californians love this incredible coastline and

1 have voted again and again to protect it. They did so  
2 again in June with the passage of Proposition 68. Because  
3 of this strong commitment to our coast, over one-third of  
4 our coastline is conserved. But with five feet of sea  
5 level rise, the coast of tomorrow will not look like  
6 today's coast. Fifty-nine percent of coastal habitat  
7 across the coast of California is very vulnerable,  
8 including over 41,000 acres already conserved that are  
9 projected to be submerged with five feet of sea level  
10 rise.

11 This means the very investments in conversation  
12 that we have all collectively made over the years is under  
13 threat. TNC and the State Coastal Conservancy  
14 collaborated on the first statewide comprehensive  
15 assessment of the vulnerability of habitats, imperiled  
16 species, and conservation lands to sea level rise to  
17 better understand the challenge before us, but also to see  
18 what we can do about it.

19 The result is wall-to-wall conservation blueprint  
20 for the entire coast identifying solutions down to the  
21 resolution of a kilometer squared.

22 And there's hope. With sustained coordinated  
23 effort, our study shows that we can as much or more  
24 coastal habitat with five feet of sea level rise as we  
25 have today, ensuring that our children and grandchildren

1 can enjoy the remarkable benefit provided by our  
2 incredible coast. But it won't be easy and it won't just  
3 require habitat protection, and we can't do it alone.

4 We will need to protect future habitat to  
5 mitigate for the loss of lands that get drowned with sea  
6 level rise. We will have to add sediment to some of our  
7 conserved habitats to keep these areas up with sea level  
8 rise, and we'll have to work together to design scenarios  
9 for communities that ensure long-term public safety side  
10 by side with wildlife and open space.

11 If we are to accomplish this, we will need all  
12 California's coastal decision makers, state and local, to  
13 adopt this vision and make specific meaningful commitments  
14 to achieve it.

15 With this resolution, you are taking a critical  
16 step today. However, we ask you to do more than just  
17 adopt this resolution. We need you to call on your sister  
18 agencies and local partners to adopt this vision of  
19 coastal hope and make commitments of their own. With this  
20 alignment, we can re-assert California's leadership in  
21 coastal conservation for the era of sea level rise, and we  
22 can really -- we can really create hope for the coast.

23 Thank you.

24 CHAIRPERSON YEE: Thank you very much, Ms. Mann.  
25 Thank you to The Nature Conservancy for continuing your

1 work in keeping these issues elevated.

2 Mr. Giffen.

3 MR. GIFFEN: Good afternoon, again, Chair Yee,  
4 Commissioners. And we also, at the Port of San Diego, are  
5 in support of the resolution.

6 First off, I would just like to point out you  
7 hear me from time to time speak about San Diego or our  
8 sister ports. And I'd just like to say California's ports  
9 are clearly an important -- are an important role in being  
10 environmental champions as your Public Trustees, and as  
11 California's public trustees as exemplified by Heather in  
12 her earlier presentation, by our friends here in Long  
13 Beach, as well as we're doing the same with our own  
14 Climate Action Plan down in San Diego.

15 More specifically to this item, I'd just like to  
16 highlight a few areas of particular interest. And to  
17 begin with, I'd like to first thank the Commission and  
18 staff for considering the adoption of this resolution,  
19 which encourages, and quote from the resolution, "Science  
20 guided collective action to enhance California's coastal  
21 habitats in the face of climate change induced  
22 challenges".

23 We are very supportive of language like this in  
24 an approach to developing balanced public policy. As an  
25 agency with responsibilities under the Public Trust

1 Doctrine, we're appreciative of holistic approaches to  
2 this policy that not only consider best available science,  
3 but also consider the economic and societal benefits for  
4 the community and the larger environment.

5 We were also glad to see that this resolution  
6 acknowledges the unique characteristics and constraints  
7 and values of Public Trust uses and assets along the  
8 coast, and existing water-dependent infrastructure, such  
9 as ports and harbors. We were an active participant in  
10 development of sea level rise guidance with the Ocean  
11 Protection Council, as well as with the Coastal  
12 Commission.

13 We're very appreciative of the acknowledgement in  
14 your resolution of similar language. And clearly, we're  
15 always very supportive of the support that the Commission  
16 provides ports and -- as well as State Controller Yee in  
17 your role on the Ocean Protection Council.

18 This resolution also highlights and reinforces  
19 many efforts already underway at the Port of San Diego, as  
20 a port of trustee subject to AB 691, which you heard  
21 reference to earlier in today's meeting, and through our  
22 port master plan, we're considering adaptive management  
23 approaches to respond to and accommodate new sea level  
24 rise science and models as they arise.

25 And some approaches we've been considering,

1 include developing living shorelines, and restoring  
2 shoreline habitats to avoid the loss of coastal habitats.  
3 We've been mapping and monitoring Eelgrass and salt marsh  
4 habitats for many years in San Diego Bay. And we're  
5 exploring the possibilities of creating coastal mitigation  
6 banks as a tool for balancing economic and environmental  
7 stewardship, and as a complement to traditional habitat  
8 restoration.

9           We're also very supportive of the resolution's  
10 emphasis on coordination and partnership led by this  
11 Commission. In previous comments to other agencies,  
12 the -- from the Port of San Diego to the Coastal  
13 Commission as well as the Ocean Protection Council, we've  
14 emphasized the need for interagency coordination on State  
15 policies and guidance, and are appreciative of the  
16 Commission's proactive approach to coordination through  
17 this resolution.

18           Notably, we are a regional collaborator in San  
19 Diego, and we have recently entered into a memorandum of  
20 agreement with the U.S. Navy to address impacts to coastal  
21 facilities and sea level rise, which actually is the first  
22 of its kind in the state.

23           With that, I'd like to thank the Commission for  
24 adopting the resolution. That concludes my remarks.

25           CHAIRPERSON YEE: Thank you, Mr. Giffen.

1 Appreciate you being here.

2 All right. Members, we are going to our public  
3 comment section of the agenda.

4 EXECUTIVE OFFICER LUCCHESI: Actually --

5 CHAIRPERSON YEE: And I think what I'd like to do  
6 is go back to -- oh --

7 EXECUTIVE OFFICER LUCCHESI: Actually, we still  
8 need to consider Item 107.

9 CHAIRPERSON YEE: Yes, I was actually -- I saw  
10 that.

11 EXECUTIVE OFFICER LUCCHESI: Oh, okay. I'm sorry  
12 to interrupt then.

13 CHAIRPERSON YEE: Yes, we do have Item 107 before  
14 us. And we have a number of speakers on this item.  
15 Should we -- do you want to open up the item?

16 EXECUTIVE OFFICER LUCCHESI: Yes I'll be giving  
17 the presentation.

18 CHAIRPERSON YEE: Okay. Great. Alrighty. Good  
19 thank you.

20 EXECUTIVE OFFICER LUCCHESI: And I'm sorry. I  
21 didn't have my mic on for that.

22 So, just a quick introduction to Item 107. As I  
23 think everyone here is aware, the Governor -- or, excuse  
24 me, the State's 2018-19 budget established a subaccount in  
25 the Kapiloff Land Bank Fund for money received from public

1 and private sources, including nonprofit sources, for the  
2 acquisition and creation of a public access route to and  
3 long the shoreline at Martins Beach in San Mateo County.

4 And specifically, the budget language allows the  
5 Commission to accept donations into the subaccount for  
6 that purpose. And traditionally, the Commission, at a  
7 properly noticed public meeting, will consider monetary  
8 and land donations on an individual basis, and accept  
9 those individually.

10 We anticipate, we hope, for a high number of  
11 donations of varying amounts coming in. And so the  
12 purpose of this item is to request authority and  
13 delegation from the Commission to the Executive Officer to  
14 accept those donations as they come in and deposit them  
15 into the subaccount.

16 And with that, I'll turn it back to you.

17 CHAIRPERSON YEE: Okay. Thank you, Ms. Lucchesi.  
18 Let me just clarify, so the delegation of authority by us  
19 as the Commission to you is to deposit the money, but also  
20 to expend money from the fund?

21 EXECUTIVE OFFICER LUCCHESI: No. No. You still  
22 retain that authority and discretion --

23 CHAIRPERSON YEE: Okay. I just want to clarify  
24 that.

25 EXECUTIVE OFFICER LUCCHESI: -- to expend that

1 money.

2 CHAIRPERSON YEE: Okay.

3 EXECUTIVE OFFICER LUCCHESI: It's just to accept  
4 and deposit.

5 CHAIRPERSON YEE: Okay. Very well.

6 Yes, and perhaps as an update, I will say I was  
7 recently in touch with Supervisor Groom of San Mateo  
8 County, and I know the county is moving forward with its  
9 contribution to the subaccount, so we hope to see that  
10 forthcoming.

11 Okay. Very well. We have a number of speakers  
12 on this item. Let me call you up in order. You will each  
13 have a strict two minutes.

14 David Grubb with the Sierra Club if you'll come  
15 forward first, followed by Angela Howe with Surfrider  
16 Foundation -- actually I'm going to ask all the Surfrider  
17 representatives to come up together. Angela Howe,  
18 Jennifer Savage, and Graham Hamilton.

19 And then we'll move on from there. And I'm sorry  
20 Staley Prom.

21 MR. GRUBB: Chair Yee -- good afternoon Chair Yee  
22 and Commissioners. I'm David Grubb speaking again for  
23 Sierra Club California. And I won't repeat what we are,  
24 except that we're representing more than 400,000  
25 Californians today.

1           Now, that the creation of the Martins Beach  
2 subaccount has been legislated, and funds for the  
3 acquisition of an easement to and along Martins Beach can  
4 be collected for that account, the next step is for the  
5 State Lands Commission to make a commitment to acquire  
6 such an easement.

7           This commitment is needed now, so that  
8 fundraising can begin in earnest. No one is going to want  
9 to give their money if it's just going to sit in an  
10 account. So please move forward with this as  
11 expeditiously as you can.

12           Thank you.

13           CHAIRPERSON YEE: Thank you, Mr. Grubb.  
14           Representatives from Surfrider.

15           MS. HOWE: I do have a presentation.

16           CHAIRPERSON YEE: Okay.

17           MS. HOWE: Good afternoon. My name is Angela  
18 Howe. I'm the Legal Director for surfrider foundation.  
19 And I believe Staley Prom has also ceded her time just in  
20 case.

21           CHAIRPERSON YEE: Okay.

22           (Thereupon an overhead presentation was  
23 presented as follows.)

24           MS. HOWE: Great. Thank you.

25           Next slide, please.

1                   --o0o--

2           MS. HOWE:  So Surfrider Foundation has been  
3 trying to open Martins Beach since 2010 when the gates  
4 were locked.  It was actually purchased by Martins Beach 1  
5 and 2, LLC, owned by Vinod Khosla in 2008, but they were  
6 locked permanently to the public in 2010.  As you know,  
7 and your staff wrote up in the report, there were at least  
8 two pieces of litigation filed by Friends of Martins Beach  
9 and Surfrider Foundation in 2013 and 2012.  And then Vinod  
10 Khosla actually sued State Lands Commissioners, Coastal  
11 Commissioners, and the County of San Mateo in their  
12 personal capacity --

13           So that's the litigation track.  But in preparing  
14 comments for today, I was harkened back to December 2016  
15 when I was in Sacramento - that's that top left picture  
16 there - and giving comments before your Board and  
17 imploring you to act with your eminent domain authority.  
18 So I'm here to do that again today and I thought I would  
19 just emphasize the timeline.

20           So next slide, please.

21                   --o0o--

22           MS. HOWE:  So while we've had this campaign for  
23 eight years, we've actually been advocating before the  
24 State Lands Commission body for four and a half years.  
25 And that is due in part to your statutory authority, to

1 protect beach access to Public Trust Lands when no other  
2 access is available. And then -- next slide, please.

3 --o0o--

4 MS. HOWE: For the past several years, we've been  
5 working on also garnering the legislative authority. So  
6 with State Senator Jerry Hill's efforts to pass SB 968 and  
7 2014 and signature by Governor Jerry -- or sorry, Governor  
8 Jerry Brown. He passed in September 2014 a bill that  
9 directed the staff to negotiate with Vinod Khosla to  
10 acquire the land, and if not, the land to get to the  
11 beach, and if not, to use the eminent domain authority.

12 So that process happened, painstakingly I think,  
13 through 2015. Surfrider Foundation in July of that year  
14 held a public workshop. We wrote up our workshop findings  
15 in mid-2015. In October 2015, an offer to purchase the  
16 land was quickly rebuffed by Vinod Khosla. Some reports  
17 say that he asked for another public beach as a trade,  
18 some say he asked for 30 million. Nonetheless rebuffed.

19 Next slide, please.

20 --o0o--

21 MS. HOWE: And then later that year, State Lands  
22 Commission presented a summary of the process, and asked  
23 that a direct allocation of the Kapiloff Land Bank Fund be  
24 made. So we've been working basically since December 2016  
25 to early 2018 to do that in the legislature. That

1 happened with a huge win on June 27th, an allocation that  
2 establishes the Martins Beach subaccount, and which is on  
3 the agenda item today.

4           So today, we are asking that the Commission  
5 delegate authority to the Executive Officer to accept  
6 donations into this -- into this Martins Beach subaccount.  
7 And we also ask to go further, and whether that can be in  
8 open session today, it can be in closed session, or has to  
9 be agendized for October, we ask that you stand firm and  
10 go towards eminent domain for this property to start that  
11 process. We know it's a long process. We know it starts  
12 with an appraisal. And we think, after four and a half  
13 years, now is the time.

14           And I just wanted to add one note. On the  
15 parallel Surfrider litigation, we did brief -- submit a  
16 brief in opposition in June of this year. It will be  
17 heard by the -- or will be considered by the Supreme Court  
18 whether or not to take up that case on September 24th, and  
19 we should know September 27th, whether or not they're  
20 taking the case.

21           This State Lands Commission track really has  
22 nothing to do with that Coastal Act cause of action. It's  
23 two separate tracks. However, in our brief in opposition,  
24 we did put that the State Lands Commission is considering  
25 eminent domain for this property. And we did put all the

1 legislative action on the issue. We think because this  
2 track is going, this case will be less attractive for the  
3 Supreme Court to take.

4           So if you have any questions on that, I'm happy  
5 to answer and thank for your time.

6           MS. SAVAGE: Hi. Jennifer Savage, Surfrider  
7 Foundation. Surfrider has 20 chapters in California, and  
8 over 80 nationwide. We pride ourselves on our commitment  
9 to grass roots activism, and that commitment also means  
10 that our chapters decide what is most important to them,  
11 based on local threats and local needs, and create  
12 campaigns accordingly. So that's a lot of campaigns.

13           What they all have in common is a shared  
14 dedication to a health ocean, clean beaches, and coastal  
15 access for everyone. But each year some of those  
16 campaigns grow beyond their local relevance. The  
17 potential consequences or expected benefits of some  
18 campaigns are so profound that we elevate them to the  
19 national level, so that we can donate -- or dedicate even  
20 more time, resources, energy, and funding to them.

21           And that's how a little beach in semi-remote area  
22 of Central California became one of our largest campaigns,  
23 and why it has stayed that way since 2013.

24           It's why we're willing to go all the way to the  
25 Supreme Court, if necessary, to defend the California

1 Coastal Act, because what the Coastal Act and protecting  
2 the Public Trust is about is fairness. They're about the  
3 equality of opportunity when it comes to accessing our  
4 shared public resources, which is a fancy way of saying  
5 having fun at the beach.

6 And, you know, Surfrider happens to be the voice,  
7 because that's the role that we have. But, you know, I  
8 really -- like, it's about so much more than the people  
9 that you usually hear from, like me. And I wish I could  
10 take you around to the homes of all the people in the  
11 Central Valley, on the coast, all over California, so you  
12 could hear the stories that we hear.

13 Like Julie Graves, who could tell you how her  
14 group of 15 to 20 friends and family members join together  
15 at Martins Beach on the last Sunday of October nearly  
16 every year for 27 years wading, picnicking, doing all the  
17 things until their annual tradition was taken away by this  
18 locked gate.

19 Or Joan Meacham who's currently in her 70s, who  
20 you used to go to Martins Beach with her husband. They  
21 would go dating there back when the road was still dirt.  
22 And, you know, it's -- if you haven't read the stories  
23 that have been collected by the Coastal Commission, I  
24 really urge you to do so. You'll find those and so many  
25 others, and it's largely due to those stories and the ones

1 that are currently unwritten that we really urge you to  
2 take action.

3           And we therefore request that you -- you know,  
4 you have the power to move forward with eminent domain,  
5 and we request that you do so, specifically as an  
6 agenda item for your next meeting in October.

7           Thank you.

8           CHAIRPERSON YEE: Thank you, Jennifer.

9           MR. HAMILTON: Hello again. Graham Milton. Los  
10 Angeles Chapter Coordinator for the Surfrider Foundation.

11           I don't live at Martins Beach or in San Mateo  
12 County, but beach access is incredibly important here in  
13 Los Angeles, where there are more coastal access  
14 violations than just about anywhere in our state's  
15 coastline.

16           Californians have been enjoying the beach at  
17 Martins for well over 100 years, long before Vinod Khosla  
18 brought -- bought his adjacent property, and undertook his  
19 mission to block public access. And for the last eight  
20 years as you heard, the Surfrider foundation and our  
21 partners have fought and defeated his egregious and  
22 illegal annexing of our coastal commons at Martins Beach.

23           Mr. Khosla not only wants to strip the public of  
24 its right, but he also wishes to undermine the California  
25 Coastal Act itself, which enshrines public access, while

1 protecting the environmental and cultural resources of our  
2 world famous coastline.

3 In December 2016, the State Lands Commission  
4 directed their staff to research the steps needed to  
5 pursue eminent domain, to acquire an easement to and along  
6 Martins Beach. With the creation of the Martins Beach  
7 subaccount successfully legislated this year, funds for  
8 the acquisition of an easement to and along Martins Beach  
9 can now be collected in that account, as you have heard.

10 With Mr. Khosla's appeal waiting to be taken up  
11 by the U.S. Supreme Court, the time to acquire and  
12 establish a public access easement for Martins Beach is  
13 now. If Mr. Khosla's appeal is taken up by the U.S.  
14 Supreme Court, it is not unlikely that a pro-private  
15 property, conservative majority could rule in his favor,  
16 declaring the California Coastal Act unconstitutional, and  
17 unraveling one of the most progressive coastal protection  
18 and management laws in the world.

19 We have a legal opportunity here to prevent that  
20 from happening, while sending a message to Mr. Khosla and  
21 the world that California's coastline is not for sale. I  
22 encourage this Commission to make a formal commitment to  
23 pursue eminent domain and to pursue it now.

24 Thank you for your time.

25 CHAIRPERSON YEE: Thank you Mr. Hamilton.

1           Okay. Next up we have Marc Chytilo, Susan Jordan  
2 and Steve Marion.

3           MR. CHYTILO: Thank you, Madam Chair, members of  
4 the Commission. I am attorney Marc Chytilo. I'm an  
5 attorney on behalf today of the Committees for Land, Air,  
6 Water, and Species. I personally have been actively  
7 involved in Martins Beach issues for the past eight years,  
8 and familiar with both the practical aspect of access at  
9 Martins Beach, as well as the legal and political  
10 landscape that's involved here.

11           First, I'd like to underscore support for the  
12 staff's recommendation for the item -- the action item  
13 that's before you. That's an appropriate step to  
14 authorize the procedures to be and the mechanisms to be  
15 able to receive funds.

16           But secondly, I would like to also urge that the  
17 Commission move this process forward. There has been  
18 considerable effort to develop the necessary tools to be  
19 able to take the next step. A preliminary appraisal has  
20 been completed. I guess most importantly, the easement  
21 that would be necessary in order to allow access by the  
22 public to the State's sovereign lands has been identified.  
23 And that preliminary analysis has been done.

24           The time is right now to move. And one thing  
25 that happens as time passes, in these kind of

1 circumstances, is that information and data and studies  
2 and reports get dated, and they have become no longer  
3 useful, and they have to be repeated.

4           So I think it is imperative to move forward  
5 quickly, given the -- or move forward expeditiously, but  
6 deliberately, to address the issues that are forward --  
7 there are present right now.

8           And I would also note that there is right now no  
9 access or sporadic access to Martins Beach. And access  
10 delayed is access denied. And it does very much seem that  
11 it's appropriate to go ahead. Given the status of  
12 negotiations having stalled, we'd strongly encourage your  
13 Commission to consider what is the appropriate next step  
14 in this matter.

15           Thank you.

16           CHAIRPERSON YEE: Thank you very much, Marc.

17           MS. JORDAN: Susan Jordan, the Director of the  
18 California Coastal Protection Network.

19           I really just want to applaud Surfrider, their  
20 attorneys for their perseverance over the years, the State  
21 Lands Commission, for actually helping to facilitate this,  
22 Jerry Hill for carrying this fight on and on and on. I  
23 mean, I have watched with amazement and at times dismay at  
24 how progress is made, and then it goes back, right?  
25 Progress is made.

1           But this time, you're over one of the finish  
2 lines here. You have an opportunity to actually do  
3 something significant. And I think the message is -- the  
4 message is not just to Vinod Khosla, it's not just to  
5 Hollister Ranch. Look at Florida, where they passed a law  
6 recently that restricts people to the wet sand. Florida,  
7 the tourism mecca.

8           I mean, there's a -- there's a sense of  
9 entitlement that people have who own property to not allow  
10 people to go to the beach. The public is demonized. They  
11 are shut out. We can't let this happen. I mean, it can't  
12 happen at Martins Beach. It can't happen in Hollister.  
13 They are not enforcing the law in Florida, because of the  
14 sense of public outrage and demonstrations that have come  
15 out since they tried to enforce it.

16           So, in any event, I think, you know, you've got  
17 the momentum now finally. I don't want to see us step  
18 back. I don't want to see too much caution. There's  
19 always risk, but you don't achieve anything unless you  
20 take that risk.

21           Thank you.

22           CHAIRPERSON YEE: Thank you, Susan.

23           MR. MARION: Esteemed Commission Members, thank  
24 you for listening to me as an average American working  
25 man. Please excuse my casual dress, but I did wear my

1 best back brace for you.

2 (Laughter.)

3 MR. MARION: I do not want to denigrate our  
4 President. However, we, the average folks in America on  
5 whose backs the country was and is built, need people such  
6 as yourselves to fight for us. Individually, we are  
7 powerless under the rich and connected, as individually we  
8 cannot afford large prestigious law firms to fight our  
9 battles as they can.

10 I hope and pray that America will continue to be  
11 a place for all rich, poor, Christian, atheists, the list  
12 goes on. I hope we continue to be the nation that the  
13 world looks to for guidance, the nation that still says  
14 give me your tired, your poor, your huddled masses  
15 yearning to be free.

16 I do not want us to become a play for -- pay for  
17 play nation. What worries me is that this appears to be  
18 where we may presently be headed. Like it or not,  
19 California leads the nation in make fun of us or not, call  
20 us Leftifornia. What we do the nation and most of the  
21 free world later follows.

22 Not all of us can afford to live in a Trump Tower  
23 where the air and water is filtered, and the community is  
24 gated and guarded. As such, we now have to breathe the  
25 air with coal power plants being fired up, where 1,400

1 more deaths per year are predicted, and global warming  
2 effects will accelerate.

3 I know we need the rich and powerful because  
4 without them, we would be in danger of abject poverty,  
5 possible mayhem, and chaos. However, the rich and  
6 powerful need to have a much greater social consciousness,  
7 which some seem to have lost or forgotten. Access to this  
8 natural -- the natural beaches of the state and nation is but  
9 one of these. I will not be able to afford a beach-front  
10 home in such a place at Martins.

11 My only hope is people like -- and people like me  
12 is to hope that I can have access to visit, protect, and  
13 appreciate these wonderful treasures. We all need  
14 motivation to do better. If we cannot visit these places,  
15 it is another motivation loss. You are my only hope.

16 What happens at Martins will set the stage for  
17 beach access throughout the state. It's a matter of  
18 ensuring the law has meaning. The State Lands Commission  
19 has a law as a powerful tool that can be used to restore  
20 the long-denied access to Martins.

21 That State now has the funding. All we need is  
22 for you to act. We would like to urge you to move forward  
23 with acquiring the easement at Martins Beach without  
24 further delay.

25 Four seconds to spare. Thank you so much.

1 (Laughter.)

2 CHAIRPERSON YEE: Thank you, Mr. Marion.

3 Thank you. All right, Commissioners, any  
4 comments?

5 Yes. Yes, please, Commissioner Viola.

6 ACTING COMMISSIONER VIOLA: I'd like to ask the  
7 Executive Officer if there's any intent to have anything  
8 publicly facing that acknowledges that individuals and  
9 organizations that do contribute to the subaccount?

10 EXECUTIVE OFFICER LUCCHESI: We -- that is  
11 possible. We do have to be careful about those that  
12 donate that do not want to have their identity  
13 acknowledged. But that is possible, if that's something  
14 that they wish to do, so...

15 ACTING COMMISSIONER VIOLA: Just a thought --

16 EXECUTIVE OFFICER LUCCHESI: We can think about  
17 that.

18 ACTING COMMISSIONER VIOLA: Yes.

19 EXECUTIVE OFFICER LUCCHESI: Usually, we're  
20 dealing it with the other way where folks don't to --  
21 their individual information to be posted on our website  
22 as -- in fact, we spend a lot of time with the donation  
23 form making sure that we were respectful of those wishes.  
24 But certainly we can take another look and provide that  
25 option, if that's something that they want to advertise.

1           ACTING COMMISSIONER VIOLA: Understood. The  
2     optimist in me would hope that something like that could  
3     potentially catalyze other -- other donations as a form of  
4     positive peer pressure.

5           EXECUTIVE OFFICER LUCCHESI: Of course. Of  
6     course.

7           CHAIRPERSON YEE: Thank you. Thank you.

8           Other comments, members?

9           Okay. Hearing none, we do have the delegation  
10    before us. Is there a motion?

11          ACTING COMMISSIONER WONG-HERNANDEZ: Move  
12    approval of the delegation.

13          CHAIRPERSON YEE: Okay. We have a motion by  
14    Commissioner Wong-Hernandez to approve the delegation of  
15    the authority to the Executive Officer to deposit, receive  
16    monies into the Martins Beach Subaccount of the Kapiloff  
17    Fund -- Land Fund with Commissioner Viola seconding?

18          ACTING COMMISSIONER VIOLA: Second.

19          CHAIRPERSON YEE: Without objection, the  
20    delegation is approved.

21          Thank you. Okay.

22          I believe now we are on to public comment. Okay.  
23    Let me thank you -- thank to members of the audience who  
24    participated throughout the day. We do have a number of  
25    public speakers speaking on items not on our agenda today.

1 Let me call you up, hopefully in groups.

2 Our first speaker is Don Holland, who's -- the  
3 Cabrillo Boat Shop.

4 Then I'm going to ask -- then Reneé Lawler to  
5 follow Mr. Holland.

6 Is Don Holland in the audience?

7 No. Okay. Ms. Lawler do you want to come  
8 forward.

9 MS. LAWLER: Absolutely.

10 CHAIRPERSON YEE: Please. Thank you. Thank you  
11 for your patience.

12 MS. LAWLER: Chairman, Commissioners, staff,  
13 thank you for the opportunity to speak to you today. My  
14 name is Reneé Lawler. I'm here to speak as an individual  
15 stakeholder. However, I am a native to Long Beach, and am  
16 also a founding director of two nonprofits. Citizen About  
17 Responsible Planning, and the Historic Equestrian Trail  
18 Association in Southern California.

19 I'm here to speak, to ask, and compel the  
20 Commission to consider reviewing your jurisdiction over  
21 the L.A. River, specifically in reference to the south  
22 L.A. River and the revitalization efforts that are  
23 occurring as a result of AB 530, which is Lower Los  
24 Angeles River Revitalization Bill that was put into law in  
25 2015.

1           So the purpose of that legislation was to gather  
2 all of the entities together that basically have a toe in  
3 the water of the L.A. River, and to realize that not any  
4 one individual entity or commission has the authority to  
5 deal with all of the complex issues that cover the L.A.  
6 River.

7           So I'm here specifically to talk about a  
8 culturally significant group that has consistently been  
9 ignored, and, in essence, its numbers greatly reduced  
10 through the years, the equestrian community, of which I am  
11 personally a stakeholder.

12           So what's happened is that with AB 530, the  
13 reason that I'm asking for your jurisdictional review is  
14 that the bill indicated that the sovereignty of the Lower  
15 Los Angeles River is still retained with the State of  
16 California. Now, the question is was that just pueblo  
17 rights of the water or does that also include the lands  
18 that are adjacent to the channelized river?

19           In the instance of the equestrian community,  
20 equestrians have actually resided on these riverlands  
21 predating statehood. So the cultural significance of  
22 horses date to two significant periods of California  
23 history, both the Spanish period and the Rancho period.

24           In my particular situation, in our community,  
25 horses have literally been on these lands, in the instance

1 of our homes, since 1922, but there's also clear evidence  
2 to show that horses have been in this same location since  
3 the days of the Rancho.

4           So what's happened is that there have been  
5 decisions made and projects that have been moving forward  
6 that are decoupling the horses -- the resident horses from  
7 these lands. And while the process has gone on so far to  
8 where our lifestyle will probably significantly be changed  
9 or eliminated, and we may not be able to survive in the  
10 same Rancho lifestyle that we've enjoyed for hundreds of  
11 years, my hope is that the Commission will reassert its  
12 jurisdiction over this process, over these lands, so that  
13 there's not a methodical reduction of the equestrian  
14 communities, which is what has occurred.

15           So coupled with the L.A. River revitalization  
16 effort, and city zoning changes, and a multitude of other  
17 decisions, the equestrian community, which is  
18 predominantly a minority - it's a great deal of Hispanics,  
19 not to mention just a minority when you look at us from  
20 comparison to multi-user groups, such as bikers or walking  
21 usage - the multi-use that has encroached upon lands that  
22 used to be open space for our horses to use has now  
23 overrun the land to the point where we can't safely  
24 function and survive as a cultural community.

25           So I do respectfully request that you insert

1 yourself in the process. You've not been involved in this  
2 revitalization effort, and it's critical for the survival  
3 of this community. So that's issue number one.

4 Issue number two has to do with tidelands and the  
5 fact that the City of Long Beach is making decisions over  
6 tidelands. And there is some question possibly as to the  
7 jurisdiction of certain decisions over the Long Beach  
8 tidelands with respect to the revision of oil maps, and a  
9 potential new drilling operation that's going to be  
10 proposed in the tideland area, and the likelihood that the  
11 State Lands Commission should be pre-approving any  
12 revisions to any oil drilling amendments or agreements,  
13 and that would be as per the Mallon versus City of Long  
14 Beach case that came back in 1956.

15 Thank you.

16 CHAIRPERSON YEE: Thank you, Ms. Lawler.

17 Is Mr. Holland in the audience?

18 Okay. Let me have the -- our group of speakers  
19 here on the Rancho LPG Holdings come forward. That would  
20 be Peter Rosenwald, Janet Gunter, Noel Weiss, and Chuck  
21 Hart.

22 MS. GUNTER: Good afternoon.

23 CHAIRPERSON YEE: Good afternoon.

24 MS. GUNTER: It looks like Peter left.

25 In 1973, President Nixon influenced the

1 development of a massive 25 million gallon highly  
2 explosive liquefied petroleum gas storage facility to be  
3 built near the Port of Los Angeles to receive Algerian  
4 imparts by pipeline from a wharf.

5           The influence -- this influence granted the  
6 Petrolink facility emergency exemptions from siting  
7 regulations, building permits, fire regulations, American  
8 Petroleum Institute standards, and CEQA with zero public  
9 notice to pre-existing homes and schools within 1,000  
10 feet.

11           The deficient E -- Environmental Impact Report  
12 was conducted and approved by the Port of Los Angeles,  
13 even though the facility is on private land lying outside  
14 the boundaries of the port.

15           The volatile facility sits directly within the  
16 only earthquake rupture zone in the entire L.A. Harbor  
17 region. It has a magnitude 7.3 quake potential, and is on  
18 landslide and liquefaction areas. The tanks were built to  
19 a seismic substandard of 5.5.

20           The current business operation is an entirely  
21 different one. Plains All American Pipeline purchased  
22 this facility when it was 37 years old in 2008. Plains  
23 has gambled for years on antiquated infrastructure  
24 projects, including its Santa Barbara oil pipeline. The  
25 business currently being conducted there never required an

1 EIR, nor has it ever performed a risk analysis, even  
2 though it's three-mile blast radius has been recognize.

3           The Port of L.A. continues to allow the use of  
4 Public Trust Lands to facilitate a private business  
5 operation. Without the use of a pipeline extending over  
6 public trust properties to outside refineries miles away,  
7 and of a port-related rail line, this facility could not  
8 exist.

9           The State Lands Commission's purpose is to act as  
10 guardians of our Public Trust Lands for the benefit of our  
11 people. The burden here far outweighs any benefit. The  
12 high jeopardy to thousands of lives and to the commercial  
13 ports is unbelievable in its scope of disaster. This  
14 Commission, like every other official, has balked at  
15 talking action and has sought any reason to ignore the  
16 high threat.

17           Mr. Newsom is seeking to be Governor. The  
18 opinion of the most recognized risk expert in this  
19 country, Dr. Bob Bea, a predictor of the Deep Horizon and  
20 Oroville Dam disasters, is that this site offers a  
21 monumental and overripe opportunity for catastrophe. It  
22 is oil company control over politicians that keep them all  
23 frozen in non-action.

24           Plains, Valero, and Tesoro Oil are all involved.  
25 These giants have the clout to do what we cannot. There

1 are 700 new homes being built in the shadow of these  
2 tanks. Where is the moral leadership and courage to avert  
3 this impending disaster. If nothing else, it is your job  
4 protect to economic the economic engine of this state, the  
5 Ports of Los Angeles and Long Beach, from certain  
6 decimation.

7 Thank you.

8 CHAIRPERSON YEE: Thank you. Ms. Gunter.

9 Next, please.

10 MR. HART: Thank you for this opportunity once  
11 again. It is my fifth time addressing you on this issue.  
12 I've taken the liberty to summarize the meaningful  
13 comments made by the Commissioners at the August 17th,  
14 2018 meeting regarding the Rancho LPG issue.

15 Executive Officer Lucchesi acknowledged the  
16 urgency of our concerns stating, "The risks are real, and  
17 the concerns are real and sincere".

18 Lieutenant Governor Newsom suggested that the  
19 Commission use your moral and formal authority to  
20 effectuate some closure and mediation.

21 Executive Officer Lucchesi was commissioned to  
22 reach out to the Attorney General's office and to the city  
23 regarding decisions made about the facility and its impact  
24 on the community. In closing, Commissioner Yee said that  
25 she found the whole matter pretty appalling, because it

1 had gone on far so long, where community concerns had not  
2 been addressed, adding that, "The Commission cannot just  
3 turn their backs to the communities affected by this  
4 facility". She hoped the officials with the city and the  
5 Port would take this issue a little more seriously.

6 She noted that there had not been the process to  
7 bring people and parties together to really look  
8 comprehensively at risk analysis with a high degree of  
9 transparency that involved all stakeholders. She  
10 encouraged Port and City officials to consider a  
11 comprehensive risk analysis involving all these  
12 stakeholders, including the public.

13 I'm here to let you know that while we  
14 continually reach out to the port, the city, legislators,  
15 regulators, and to Plains Rancho, we, and the surrounding  
16 communities, remain at risk. There has been no community  
17 coming together, no comprehensive risk analysis, no  
18 transparency. Innocent lives are still at risk, while  
19 these stakeholders are seemingly unwilling or unable to  
20 move forward.

21 You are the trustees of Public Trust Lands, and  
22 leading the way in environmental justice policy. Your  
23 voices and stated concerns are valid and more so needed.

24 The Attorney General's opinion that you  
25 requested, while giving the Commission cover to take no

1 action to protect these public lands, and trusted to your  
2 oversight does offer the option to institute litigation  
3 against the Port.

4           The Commission has professed a genuine belief  
5 that the Rancho LPG operation poses a high risk to not  
6 only public safety, but to the economic engine of the  
7 state, the Ports of L.A. and Long Beach. If that belief  
8 is truly sincere, as stated, we urge you to follow your  
9 consciousness and initiate litigation for an independent  
10 and comprehensive risk analysis. To do anything less  
11 points to a profound manipulation of the Commission by the  
12 big oil industries who have shown a complete disregard for  
13 this danger.

14           Thank you again for the opportunity to address  
15 you on this very important issue.

16           Thank you again.

17           CHAIRPERSON YEE: Thank you. Next speaker,  
18 please.

19           MR. WEISS: Commissioners, hi. My name is Noel  
20 Weiss. Ms. Yee, I hope you're recovering.

21           CHAIRPERSON YEE: Thank you.

22           MR. WEISS: My request of the Commission today in  
23 follow up is really to agendize, have the Commission  
24 direct that we can agendize, even as an informational  
25 matter, the question of the extent to which the city, the

1 Mayor, the Controller of the City of Los Angeles, as far  
2 as I'm concerned add in the federal government, to  
3 basically address the serious issue relating to the public  
4 safety hazard that is reflected by -- and I'm not talking  
5 about the facility now. I'm talking about the transport  
6 using Tidelands Trust assets of butane and propane through  
7 the port in a manner that's never been authorized  
8 specifically anywhere at all by any document. And more  
9 importantly, there has been no accounting by way of a  
10 management audit, by way of a financial audit of what is  
11 being paid other than one segment, the rail spur segment.

12 That means that the use of this Tidelands Trust  
13 asset may be -- really ends up to be a huge rip-off for  
14 the taxpayers, or actually for the people of the state,  
15 because they're using Tidelands Trust assets without  
16 paying adequate compensation, without providing for  
17 adequate insurance. And God forbid something should  
18 happen, what we're really talking about is competent risk  
19 management.

20 Now, I understand -- actually, one common theme,  
21 after sitting here today, of your deliberations, I think  
22 it really is a balance, if you will, between socialism on  
23 the one hand, capitalism on the other. The Tidelands  
24 Trust is a socialized asset. It belongs to the people.  
25 You have to administer it, but there's always this byplay,

1 and it's reflected in every single item that's been before  
2 you. There's the desire of the private sector to  
3 privatize the gains on the backs of the public that is  
4 socializing the losses, and then the flip side is you want  
5 to socialize the gains, and privatize the losses to the  
6 extent possible.

7           That's a balance. It's not absolute basically on  
8 other side. But right now, Commission, it is so  
9 imbalanced in -- against the public interest, because the  
10 losses, God forbid something should happen, is going to be  
11 socialized on the backs of the people, and the Port.

12           And I understand that this Commission does not  
13 want to micromanage the Port. I respect that. I  
14 understand that. That's a reality of life. But  
15 nevertheless, it's certainly not unreasonable as an  
16 informational item for this Commission to say to the City  
17 of L.A., particularly after a year plus, to be able to  
18 say, you know, city -- Mayor Garcetti, what have you done?  
19 Where is your accounting? Controller of L.A. who has  
20 power to account, where is the management on it? Where is  
21 the financial audit? Where are the dollars going? Why  
22 haven't we basically confronted this in a meaningful way  
23 and what are you proposing to properly reconcile the  
24 balance, and what do you, the City of L.A., officially in  
25 public open and transparent want the Commission to do?

1 I think that's an appropriate rule for the  
2 Commission in this situation. It would prompt a public  
3 debate. It would prompt a public discussion. Because  
4 honestly, Commissioners, the one benefit that we have, the  
5 one thing that we have more than anything else is by  
6 keeping on the pressure and by promoting the public  
7 debate, we limit the possibility of an accident.

8 If it's silent, if we don't talk about it, the  
9 risk of cost cutting, the risk of not worrying, oh, let's  
10 just socialize it on the backs of the public, that risk is  
11 enhanced.

12 So by putting it on the agenda, I think you're  
13 protecting the public interest, you're forcing the City of  
14 L.A. to become accountable, you're forcing our federal  
15 representatives to be accountable, Congresswoman Barragán  
16 just introduced a bill, but Ted Lieu did not sign on to  
17 that bill. And that was wrong of Ted Lieu, with all due  
18 respect to Ted Lieu. Why didn't he do that?

19 Maybe he will. Maybe that would force it. And I  
20 appreciate the indulgence in terms of my time going  
21 forward, but honestly Commissioners, again, my request at  
22 least please agendize this, so we can have a competent,  
23 fair, honest, open, public discussion on this, so we can  
24 properly reconcile all of the conflicting economic and  
25 political and social differing, conflicting interest that

1 basically exist, and I appreciate your consideration.

2 Thank you very much.

3 CHAIRPERSON YEE: Thank you, Mr. Weiss.

4 Any other members of the public wish to address  
5 the Commission?

6 All right. Seeing none. Then, Ms. Lucchesi,  
7 what is our next order of business.

8 EXECUTIVE OFFICER LUCCHESI: Our next order of  
9 business is to adjourn into closed session. But before  
10 that, if I can just indulge the Commission for one minute.

11 CHAIRPERSON YEE: Sure, please.

12 EXECUTIVE OFFICER LUCCHESI: I forgot to mention  
13 something during my Executive Officers report that's  
14 important.

15 CHAIRPERSON YEE: Okay.

16 EXECUTIVE OFFICER LUCCHESI: Earlier today, we  
17 did have a change in the Director of Finance.

18 CHAIRPERSON YEE: Yes.

19 EXECUTIVE OFFICER LUCCHESI: We have a new  
20 Director of Finance, Keely Bosler. And I just wanted to  
21 assure the Commission and assure the members of the public  
22 that are watching this, that the delegation of  
23 representation to Commissioner Wong-Hernandez is all in  
24 order, given the change in the Director of Finance that  
25 occurred this morning. So everything is legit, and I just

1 wanted to make sure that was part of the public record,  
2 given the change.

3 Thank you.

4 CHAIRPERSON YEE: Thank you, Ms. Lucchesi. Thank  
5 you. And very glad Ms. Wong-Hernandez will continue with  
6 us representing the administration.

7 All right. I believe our next order of business  
8 is adjourning into closed session. And, at this time, let  
9 me ask the members of the public to please clear the room  
10 so we may convene in closed session.

11 Thank you.

12 (Off record: 3:54 p.m.)

13 (Thereupon the meeting recessed into  
14 closed session.)

15 (Thereupon the meeting reconvened open session.)

16 (On record: 5:25 p.m.)

17 CHAIRPERSON YEE: Okay. We'll now reconvene in  
18 open session. The Commission met in closed session and I  
19 believe Mr. Meier you have a report.

20 CHIEF COUNSEL MEIER: Yes. The Commission  
21 consented to resolving the quite title action Terminal One  
22 Development LLC versus State of California. This case  
23 concerns title to property proposed for development along  
24 the waterfront in the City of Richmond. The Commission  
25 has concurred with the plaintiff's position regarding the

1    respective ownership interests of the city and the State.

2                   CHAIRPERSON YEE:   Great.   Thank you very much,  
3    Mr. Meier.

4                   Any other business to come before the Commission?

5                   Seeing none and hearing none, this meeting is  
6    adjourned.

7                   Thank you.

8                   (Thereupon the California State Lands

9                   Commission meeting adjourned at 5:26 p.m.)

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## 1 C E R T I F I C A T E O F R E P O R T E R

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

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

8 That the said Skype proceedings was taken before  
9 me, in shorthand writing, and was thereafter transcribed  
10 to the best of my ability with intermittent Skype  
11 connection, under my direction, by computer-assisted  
12 transcription.

13 I further certify that I am not of counsel or  
14 attorney for any of the parties to said meeting nor in any  
15 way interested in the outcome of said meeting.

16 IN WITNESS WHEREOF, I have hereunto set my hand  
17 this 7th day of September, 2018.

18  
19  
20 

21  
22  
23 JAMES F. PETERS, CSR  
24 Certified Shorthand Reporter  
25 License No. 10063