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. Colin Connor, Assistant Executive Officer
Mr. Mark Meier, Chief Counsel
Mr. Warren Crunk, Staff Attorney, Legal Division
Ms. Maren Farnum, Environmental Scientist, Executive Office
Mr. Nicholas Lavoie, Public Land Manager, Land Management Division
Ms. Kim Lunetta, Administrative Assistant
Ms. Abby Newman, Sea Grant Fellow
Mr. Chris Packer, Research Analyst III, GIS Division
Ms. Sheri Pemberton, Chief, External Affairs and Legislative Liaison

ATTORNEY GENERAL:
Mr. Andrew Vogel, Deputy Attorney General
ALSO PRESENT:

Mr. Christopher Adams
Ms. Julie Baller
Ms. Sabrina Brennan, Committee for Equity in Women's Surfing
Mr. Dylan Budd, World Surf League
Mr. Frank Coats
Mr. Sean Drake, California Coastal Commission
Ms. Leslie Flint, Sequoia Audubon
Mr. Frank Graves
Mr. John Hansen, West Coast Ocean Alliance
Ms. Mary Hufty
Mr. Uriel Hernandez
Mr. Rick Johnson, Citizens Committee to Complete Refuge
Mr. Edmundo Larenas
Ms. Flower Moye, Sea Grant Fellow, State Controller's Office
Mr. Ebbie Nakhjavani, EKN Development Group
Ms. Leslie Nishihara, Port of San Diego
Mr. Ronald Powell, Port of San Diego
Ms. Jennifer Savage, Surfrider
Ms. Barb Singleton, Community Advocates Leadership Academy
Mr. Lee Strieb, UNITE HERE
APPEARANCES CONTINUED

ALSO PRESENT:

Ms. Lily Tsukuyuma, Port of San Diego
Ms. Karen Verpeet, H.T. Harvey & Associates
Ms. Veronika Vostinak, Sphere Institute
Ms. Helen Wolter, Committee for Green Foothills, Baykeepers, Save the Bay
I 10:00 A.M. - OPEN SESSION

II CONFIRMATION OF MINUTES FOR THE MEETING OF AUGUST 23, 2018

III EXECUTIVE OFFICER'S REPORT

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

- Frank Mario Carson, Jr (Lessee): Continuation of rent $129 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in the Sacramento River, adjacent to 6057 Garden Highway, near Sacramento, Sacramento County. (PRC 9044.1)

- Joseph P. Colmery and Laurie W. Colmery (Lessee): Continuation of annual rent at $754 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 632 Olympic Drive, near Tahoe City, Placer County. (PRC 8624.1)

- Bradley A. Geier and Cathy C. Geier, Trustees of the Geier Family Trust dated May 8, 2003 (Lessee): Continuation of annual rent at $754 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 2750 West Lake Boulevard, near Tahoe City, Placer County. (PRC 9101.1)

- Nathaniel Goldhaber and Marilyn K. Goldhaber, Co-Trustees of the Goldhaber Revocable Trust u/a/d 11/11/2005 (Lessee): Continuation of annual rent at $3,104 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 9818 Lake Street and 77 Speedboat Avenue, near Kings Beach, Placer County. (PRC 3659.1)

- Jeffrey S. Hines and Barbara A. Hines, as Trustees of the Jeffrey and Barbara Hines Revocable Trust (Lessee): Continuation of annual rent at $239 per year for a General Lease - Recreational Use located on sovereign land in the Sacramento River, adjacent to 10451 Garden Highway, near Verona, Sutter County. (PRC 6103.1)
- Grant M. Inman and Suanne B. Inman, Co-Trustees of the Inman 2012 Irrevocable Children's Trust u/a/d December 13, 2012 (Lessee): Continuation of annual rent at $2,170 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 8841 Rubicon Drive, near Rubicon Bay, El Dorado County. (PRC 3669.1)

- Marvin M. McSwain and Patricia McSwain, Trustees of the Marvin M. McSwain and Patricia McSwain Trust dated April 13, 2007 (Lessee): Continuation of annual rent at $340 per year for a General Lease - Recreational Use located on sovereign land in Sacramento River, adjacent to 11035 State Highway 160, near Hood, Sacramento County. (PRC 8495.1)

- Jeffrey A. Omand and Diane Deary Omand, Trustees of the Diane Deary Omand and Jeffrey A. Omand Family Revocable Trust Dated July 21, 1992 (Lessee): Continuation of annual rent at $425 per year for a General Lease - Recreational Use located on sovereign land in Sacramento River, adjacent to 6770 Arabella Way, near Sacramento, Sacramento County. (PRC 8490.1)

- Graham Owen and Kacie Owen (Lessee): Continuation of annual rent at $280 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in Sacramento River, adjacent to 4251 Garden Highway, near Sacramento, Sacramento County. (PRC 4947.1)

- James Harold Richardson, IV and Kimberly Paulson Richardson, Trustees of the 2006 Restatement of the Richardson Family Trust Dated July 26, 2006 (Lessee): Continuation of annual rent at $754 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 3280 Edgewater Drive, near Tahoe City, Placer County. (PRC 9100.1)

- The Landing Homeowners Association (Lessee): Continuation of annual rent at $154 per year for a General Lease - Recreational Use located on sovereign land in Corte Madera Creek, adjacent to APNs 022-550-01 through 022-550-07, near Greenbrae, Marin County. (PRC 4673.1)
Christopher D. White and Kristine F. White (Lessee): Continuation of annual rent at $754 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 99 Chipmunk Street, near Kings Beach, Placer County. (PRC 9099.1)

IV CONSENT CALENDAR C01-C83

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 ASHLEY W. ABDO AND MARY E. ABDO (LESSEE); MMAA, LLC, A DELAWARE LIMITED LIABILITY COMPANY (APPLICANT): Consider waiver of rent, penalty, and interest; acceptance of a lease quitclaim deed for Lease No. PRC 8366.1, a General Lease - Recreational Use; and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 9922 Lake Street, Kings Beach, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 8366.1; RA# 31917) (A 1; S 1) (Staff: M. Schroeder)

C 02 JULIE E. BURT AND K. RANDALL BURT, TRUSTEES OF THE BURT FAMILY TRUST, U.D.T. DATED MARCH 25, 2003 (ASSIGNOR); JAMES F. BAGAN AND MEREDITH H. BAGAN (ASSIGNEE): Consider application for an assignment of Lease No. PRC 3592.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4760 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier and one mooring buoy. CEQA Consideration: not a project. (PRC 3592.1; RA# 01318) (A 1; S 1) (Staff: S. Avila)

C 03 COUNTY OF TEHAMA (LESSEE/APPLICANT): Consider acceptance of a quitclaim deed for Lease No. PRC 504.9, a Right-of-Way Lease, and issuance of a General Lease - Public Agency Use, of sovereign land located in the Sacramento River, adjacent to Assessor's Parcel
<table>
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<th>Description</th>
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<tr>
<td>C 04</td>
<td>JAMES DOBBAS AS TRUSTEE UNDER DECLARATION OF TRUST DATED DECEMBER 22, 1976 (LESSEE): Consider amendment of lease and revision of rent to Lease No. PRC 4494.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8297 Meeks Bay Ave, near Meeks Bay, El Dorado County; for an existing pier and one mooring buoy. CEQA Consideration: not projects. (PRC 4494.1) (A 5; S 1) (Staff: S. Evans)</td>
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<tr>
<td>C 05</td>
<td>PATRICK W. HIGGINS AND LEAH E.C. HIGGINS; AND MCKINNEY SHORES, LLC (ASSIGNOR); LEAH E. HIGGINS AND PATRICK HIGGINS, TRUSTEES OF THE HIGGINS FAMILY TRUST, UNDER INSTRUMENT DATED DECEMBER 13, 2001; AND ZACKO INVESTMENTS II, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (ASSIGNEE): Consider application for an assignment of Lease No. PRC 4924.1, General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6160 and 6190 West Lake Boulevard, near Tahoma, Placer County; for an existing joint-use pier, boat lift, and two mooring buoys. CEQA Consideration: not a project. (PRC 4924.1; RA# 31616) (A 1; S 1) (Staff: M.J. Columbus)</td>
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<td>C 06</td>
<td>HUMBOLDT REDWOOD COMPANY, LLC (LESSEE): Consider revision of rent to Lease No. PRC 9095.1, a General Lease - Right-of-Way Use, of sovereign land located in the Eel River, adjacent to Assessor's Parcel Numbers 205-061-004 and 205-341-019, near the town of Scotia, Humboldt County; for an existing seasonal bridge crossing. CEQA Consideration: not a project. (PRC 9095.1) (A 2; S 2) (Staff: S. Evans)</td>
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<tr>
<td>C 07</td>
<td>LOYD BINGHAM HUTCHINS, ELIZABETH DAISY HELMAN, AND KATHERINE PAGE BINGHAM (APPLICANT): Consider application for a General Lease - Recreational Use, of</td>
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sovereign land located in Lake Tahoe, adjacent to 6730 West Lake Boulevard, near Tahoma, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4033.1; RA# 33517) (A 1; S 1) (Staff: M. Schroeder)

C 08 JOHN A. LAMBETH AND CARSON LAMBETH (LESSEE): Consider revision of rent to Lease No. PRC 9098.1, a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 33912 South River Road, near Clarksburg, Yolo County; for a boat dock, appurtenant facilities, and bank protection. CEQA Consideration: not a project. (PRC 9098.1) (A 4; S 3) (Staff: S. Evans)

C 09 RONALD F. MACK AND JUDY A. MACK, CO-TRUSTEES OF THE RON AND JUDY MACK FAMILY TRUST (U/T/A JUNE 8, 1983) (ASSIGNOR); THOMAS S. DOLAN, TRUSTEE OF THE THOMAS S. DOLAN TRUST, DATED JUNE 22, 2001 (ASSIGNEE): Consider application for an assignment of Lease No. PRC 8016.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1170 West Lake Boulevard, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: not a project. (PRC 8016.1; RA# 25717) (A 1; S 1) (Staff: J. Toy)

C 10 JAMES M. MCCLENAHAN AND MARGARET ANN MCCLENAHAN, AS TRUSTEES OF THE MCCLENAHAN FAMILY TRUST DATED FEBRUARY 22, 2001 (LESSEE): Consider amendment of lease and revision of rent to Lease No. PRC 8504.1, a General Lease - Recreational Use, of sovereign land located in Donner Lake, adjacent to 15102 Point Drive, near Truckee, Nevada County; for an existing pier. CEQA Consideration: not projects. (PRC 8504.1) (A 1; S 1) (Staff: S. Evans)

C 11 EDWARD F. MILLS, TRUSTEE, OR ANY SUCCESSORS IN TRUST, OF THE HORSESHOE TRUST DATED APRIL 6, 2017; AND FRANK DRAKE MILLS (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7141 West Lake Boulevard, near Tahoma, El Dorado County; for an existing pier. CEQA Consideration: categorical exemption. (PRC 3907.1; RA# 30917) (A 5; S 1) (Staff: J. Toy)
INDEX CONTINUED

C 12 OWENS PIER, LLC (LESSEE): Consider amendment of lease and revision of rent to Lease No. PRC 9102.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 664 Olympic Drive, near Tahoe City, Placer County; for an existing pier, boat lift and two mooring buoys. CEQA Consideration: not projects. (PRC 9102.1) (A 1; S 1) (Staff: S. Evans)

C 13 PACIFIC UNION COLLEGE (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Albion River, adjacent to 34100 Albion Street, Albion, Mendocino County; for an existing dock and appurtenant facilities. CEQA Consideration: categorical exemption. (PRC 8798.1; RA# 02018) (A 2; S 2) (Staff: M. Schroeder)

C 14 IRENE PESTANA AND MICHAEL J. KELLY, JR., CO-TRUSTEES OF THE SURVIVOR'S TRUST ESTABLISHED UNDER THE PESTANA 1986 FAMILY TRUST AGREEMENT DATED MAY 15, 1986, AS AMENDED (LESSEE): Consider amendment of lease and revision of rent to Lease No. PRC 7107.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5570, 5588, 5590 North Lake Boulevard, Agate Bay, Placer County; for an existing pier, two boathouses, one boat hoist, one boat lift and two sundecks with stairs. CEQA Consideration: not projects. (PRC 7107.1) (A 1; S 1) (Staff: S. Evans)

C 15 RIDGEWOOD PIER OWNERS ASSOCIATION (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4520 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, 15 mooring buoys, and one swim float. CEQA Consideration: categorical exemption. (PRC 4967.1; RA# 22817) (A 1; S 1) (Staff: S. Avila)

C 16 SIERRAGLOW LTD. (LESSEE): Consider amendment of lease and revision of rent to Lease No. PRC 4923.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6770 West Lake Boulevard, near Homewood, Placer County; for an existing pier, boat lift and two mooring buoys. CEQA
INDEX CONTINUED

C 17 BOB R. SIMPSON AND JANICE L. SIMPSON (LESSEE); DAVID WILLIAM JESKE, TRUSTEE OF THE DAVID W. JESKE TRUST UDT DATED 8/20/2009 (APPLICANT): Consider waiver of rent, penalty, and interest; termination of Lease No. PRC 8266.1, a General Lease – Recreational Use; and an application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1780 North Lake Boulevard, Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 8266.1; RA# 12717) (A 1; S 1) (Staff: M. Schroeder)

C 18 PETER F. SNOOK AND JUDITH L. SNOOK, TRUSTEES OF THE SNOOK FAMILY REVOCABLE TRUST, DATED APRIL 11, 2000 (LESSEE): Consider revision of rent to Lease No. PRC 1617.1, a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4688 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boathouse with sundeck and stairs, boat lift and two mooring buoys. CEQA Consideration: not a project. (PRC 1617.1) (A 1; S 1) (Staff: S. Evans)

C 19 LAWRENCE R. SOLOMON AND JANE A. SOLOMON, TRUSTEES OF THE SOLOMON FAMILY TRUST OF 1997, DATED JANUARY 6, 1997, AS AMENDED AND RESTATED (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2590 West Lake Boulevard, near Tahoe City, Placer County; for an existing pier, boathouse, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 3525.1; RA# 24117) (A 1; S 1) (Staff: J. Toy)

C 20 GARY TOBEY AND MICHELE TOBEY (APPLICANT): Consider application for a General Lease – Protective Structure Use, of sovereign land located in the Russian River, adjacent to 21800 Moscow Road, near Monte Rio, Sonoma County; for existing bank protection. CEQA Consideration: categorical exemption. (W 27131; RA# 02617) (A 2; S 2) (Staff: J. Toy)

C 21 LIDA URBANEK, TRUSTEE OF THE URBANEK RUBICON BAY TRUST, DATED JULY 27, 2005 (APPLICANT): Consider
application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8865 Rubicon Drive, near Rubicon Bay, El Dorado County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4328.1; RA# 00418) (A 5; S 1) (Staff: J. Toy)

C 22 JAMES VOGT (ASSIGNOR); GARY A. MEADE AND RANIDA THAMMARIN (ASSIGNEE): Consider application for an assignment of Lease No. PRC 6745.1, a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Napa River, adjacent to 1230 Milton Road, near Napa, Napa County; for an existing boat dock, appurtenant facilities, deck, and bank protection. CEQA Consideration: not a project. (PRC 6745.1; RA# 01518) (A 4; S 3) (Staff: S. Avila)

C 23 JIM WESTBERG AND JULIE WESTBERG, AS TRUSTEE OF THE WESTBERG FAMILY TRUST DATED JUNE 22, 2000 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 3405 Riverview Drive, city of Redding, Shasta County; for an existing concrete dock platform, boat dock, two pilings, and bank protection. CEQA Consideration: categorical exemption. (PRC 7249.1; RA# 00718) (A 2; S 4) (Staff: S. Avila)

BAY/Delta Region

C 24 23240 HIGHWAY 1, LLC (LESSEE): Consider revision of rent to Lease No. PRC 9096.1, a General Lease - Recreational Use, of sovereign land located in the Tomales Bay, adjacent to 23115 and 23240 Highway 1, near Marshall, Marin County; for an existing pier and appurtenant facilities. CEQA Consideration: not a project. (PRC 9096.1) (A 10; S 2) (Staff: S. Evans)

C 25 TIMOTHY P. ALPERS AND PAMELA J. ALPERS (ASSIGNOR); JAMES H. CREAGER, TRUSTEE OF THE JAMES CREAGER REVOCABLE TRUST DATED FEBRUARY 25, 2013 (ASSIGNEE): Consider application for the assignment of Lease No. PRC 8172.1, General Lease - Residential Leach Field System, of sovereign land lying below elevation 6,417, Mono Lake, Mono County; for an existing residential leach field system. CEQA
INDEX CONTINUED

Consideration: not a project. (PRC 8172.1; RA# 32617) (A 5; S 8) (Staff: D. Simpkin)

C 26 ALFRED A. ALYS AND SHIRLEY A. ALYS, AS TRUSTEES OF THE ALYS FAMILY LIVING TRUST DATED NOVEMBER 9, 2000 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Georgiana Slough, adjacent to 413 West Willow Tree Lane, near Isleton, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection previously authorized by the Commission, and water utility outlet not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 4064.1; RA# 34317) (A 11; S 3) (Staff: G. Asimakopoulos)

C 27 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 28 BENICIA PORT TERMINAL COMPANY (APPLICANT): Consider application for a General Lease - Dredging, of sovereign land located in in the Carquinez Strait, at the Port of Benicia, near Benicia, Solano County; Maintenance dredging of a maximum of 90,000 cubic yards of sediment material annually. CEQA Consideration: categorical exemption. (PRC 5096.1; RA# 30817) (A 14; S 3) (Staff: D. Tutov)

C 29 MARC A. BRENNEN AND PATRICIA L. BRENNEN (LESSEE); CARLOS L. RAMIREZ AND LORRAINE A. RAMIREZ, TRUSTEES OF THE CARLOS L. RAMIREZ AND LORRAINE A. RAMIREZ FAMILY REVOCABLE TRUST DATED JULY 26, 2017 (APPLICANT): Consider acceptance of a lease quitclaim deed for Lease No. PRC 6352.1, 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 2945 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock with boat lift, appurtenant facilities, and bank
protection. CEQA Consideration: categorical exemption. (PRC 6352.1; RA# 24417) (A 7; S 6) (Staff: G. Asimakopoulos)

C 30 BURLINGAME BAY ASSOCIATES, (LESSEE): Consider 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 31 REBECCA J. CABRAL, TRUSTEE OF THE REBECCA J. CABRAL REVOCABLE TRUST DATED DECEMBER 4, 2002 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Three Mile Slough, adjacent to 18110 Sherman Island East Levee Road, near Rio Vista, Sacramento County; for three existing pilings, a two-pile dolphin, and bank protection. CEQA Consideration: categorical exemption. (PRC 7946.1; RA# 34417) (A 11; S 3) (Staff: G. Asimakopoulos)

C 32 CASE FAMILY, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the San Joaquin River, adjacent to 18460 Sherman Island East Levee Road, near Rio Vista, Sacramento County; for construction of a covered boat dock and appurtenant facilities; and existing bank protection not previously authorized by the Commission. CEQA Consideration: categorical exemptions. (W 27049; RA# 09116) (A 11; S 3) (Staff: G. Asimakopoulos)

C 33 JOSEPH M. DEAK AND GRETCHEN W. DEAK (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Georgiana Slough, adjacent to 451 W. Willow Tree Lane, near Isleton, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 8778.1; RA# 28617) (A 11; S 3) (Staff: J. Holt)
LEWIS J. DEAK AND BARBARA J. DEAK (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Georgiana Slough, adjacent to 425 W. Willow Tree Lane, near Isleton, Sacramento County; for an existing boat dock with slip, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 8762.1; RA# 28417) (A 11; S 3) (Staff: J. Holt)

DELTA BEACH PROPERTIES, INC. (LESSEE): Consider revision of rent to Lease No. PRC 5383.1, a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 14250 Isleton Road, near Isleton, Sacramento County; for an existing boat launch ramp, accommodation dock and 20 double-point mooring buoys. CEQA Consideration: not a project. (PRC 5383.1) (A 11; S 3) (Staff: S. Evans)

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)

ECO SERVICES OPERATIONS CORP (LESEE): Consider application for an amendment of Lease No. PRC 7660.1, a General Lease - Industrial and Protective Structure Use, of filled and unfilled sovereign land located adjacent to 100 Mococo Road, in Peyton Slough and Carquinez Strait, city of Martinez, Contra Costa County; for the installation, use and maintenance of shoreline protection. CEQA Consideration: categorical exemption. (PRC 7660.1; RA# 24317) (A 14; S 3) (Staff: D. Tutov)

CRAIG LEE ELDER AND MARY DELUCA ELDER (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 7145 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock,
C 39 GILBERT GONZALES AND MARGIE D. GONZALES (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 4001 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 8783.1; RA# 32317) (A 7; S 6) (Staff: J. Holt)

C 40 LIZ GRAHAM AND GREG GRAHAM (LESSEE): Consider revision of rent to Lease No. PRC 3540.1, a General Lease - Recreational Use, of sovereign land located in the Petaluma River, adjacent to 104 Harbor Drive, near Novato, Marin County; for a boathouse, two floating boat docks and appurtenant facilities. CEQA Consideration: not a project. (PRC 3540.1) (A 10; S 2) (Staff: S. Evans)

C 41 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, decks, docks, and appurtenant facilities. CEQA Consideration: categorical exemption. (PRC 8031.1; RA# 24617) (A 10; S 2) (Staff: V. Caldwell)

C 42 MARY KATHLEEN HILDEBRAND AS TRUSTEE OF THE MARY KATHLEEN HILDEBRAND REVOCABLE TRUST (LESSEE): Consider revision of rent to Lease No. PRC 2511.1, a General Lease - Right-of-Way Use, of sovereign land located in the historic and current bed of the San Joaquin River, adjacent to 23455 Hays Road, near Manteca, San Joaquin County; for an existing access road with deck and a culvert. CEQA Consideration: not a project. (PRC 2511.1) (A 12; S 5) (Staff: S. Evans)

C 43 JEFFREY A. HUNT AND JENNIFER L. HUNT (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River,
adjacent to 925 Piedmont Drive, city of Sacramento, Sacramento County; for an existing boat dock with boathouse, appurtenant facilities, and bank protection previously authorized by the Commission, and electric and water utility outlets not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 4062.1; RA# 28217) (A 9; S 6) (Staff: G. Asimakopoulos)

C 44 EDWIN M. KADO AND JEAN A. KADO, TRUSTEES OF THE ED AND JEAN KADO FAMILY REVOCABLE TRUST, ESTABLISHED DECEMBER 17, 1998 (LESSEE): Consider revision of rent to Lease No. PRC 6524.1, a General Lease – Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 1635 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities and bank protection. CEQA Consideration: not a project. (PRC 6524.1) (A 7; S 6) (Staff: S. Evans)

C 45 LAWSON'S LANDING, INC. (LESSEE): Consider revision of rent to Lease No. PRC 6978.1, a General Lease – Commercial Use, of sovereign land located in the Tomales Bay, adjacent to 94 Marine View Drive, near Dillon Beach, Marin County; for an existing commercial marina. CEQA Consideration: not a project. (PRC 6978.1) (A 10; S 2) (Staff: S. Evans)

C 46 MILDRED K. LEATHAM, SUCCESSOR TRUSTEE OF THE GEORGE LEATHAM FAMILY TRUST DATED MAY 22, 2015 (ASSIGNOR); D. GREGG DOYLE, TRUSTEE OF THE D. GREGG DOYLE REVOCABLE LIVING TRUST, DATED JULY 19, 2016 AND GISELLE SHEPATIN, TRUSTEE OF THE GISELLE SHEPATIN REVOCABLE LIVING TRUST, DATED AUGUST 28, 2018 (ASSIGNEE): Consider application for the assignment of Lease No. PRC 9315.1, General Lease – Recreational and Residential Use, of sovereign land located in Mare Island Strait, adjacent to 31 Sandy Beach Road, near Vallejo, Solano County; for a portion of an existing residence, deck and appurtenant facilities. CEQA Consideration: not a project. (PRC 9315.1; RA# 06818) (A 14; S 3) (Staff: V. Caldwell)

C 47 LINCOLN CHAN FARMS, LLC (APPLICANT): Consider application for a General Lease – Right-of-Way Use, of sovereign land located in Hensley Slough, adjacent to
48  JEFFERY MORENO (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use of sovereign land located in Georgiana Slough at Andrus Island, adjacent to 17161 Terminous Road, near Isleton, Sacramento County; for an existing covered boat dock, appurtenant facilities, and bank protection previously authorized by the Commission; and a boat lift and electrical and water utility outlets not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 7089.1; RA# 28017) (A 11; S 3) (Staff: G. Asimakopoulos)

49  JACK L. SHRADER AND ELISE SHRADER, TRUSTEES U.D.T. DATED 12/9/99 TRUSTEES OF THE SHRADER LIVING TRUST (LESSEE): Consider revision of rent to Lease No. PRC 5393.1, a General Lease - Commercial Use, of sovereign land located in Goodyear Slough, near Benicia, Solano County; for an existing commercial marina known as Pierce Harbor Marina. CEQA Consideration: not a project. (PRC 5393.1) (A 14; S 3) (Staff: J. Holt)

50  NAUTILUS DATA TECHNOLOGIES, INC., A DELAWARE CORPORATION (APPLICANT): Consider application for a General Lease - Industrial Use, of proprietary land located in the San Joaquin River within the Port of Stockton, adjacent to Assessor's Parcel Number 162-030-07, Rough and Ready Island, near Stockton, San Joaquin County; for the installation, use, and maintenance of a barge-mounted water-cooled data center and appurtenant facilities. CEQA Consideration: Mitigated Negative Declaration, adopted by the Port of Stockton, State Clearinghouse No. 2016062010, and adoption of a Mitigation Monitoring Program. (W 27181; RA# 31817) (A 13; S 5) (Staff: G. Asimakopoulos)

51  TIME WARNER TELECOM OF CALIFORNIA, L.P. (LESSEE): Consider revision of rent to Lease No. PRC 8044.1, a General Lease - Right-of-Way Use, of sovereign land located in the Stanislaus River, Mokelumne River, and Cosumnes River, near the cities of Riverbank and Lodi,
and the Town of Wilton, Stanislaus, San Joaquin, and Sacramento Counties; for existing conduit ducts with fiber-optic cable within one of the six ducts. CEQA Consideration: not a project. (PRC 8044.1) (A 8, 12; S 5, 8) (Staff: S. Evans)

C 52 JOYCE TURNER (ASSIGNOR); NOAH M. ARON (ASSIGNEE): Consider application for the assignment of Lease No. PRC 9271.1, General Lease - Recreational Use, of sovereign land located in Corte Madera Creek, adjacent to 65 Greenbrae Boardwalk, near Larkspur, Marin County; for an existing deck, boat dock, and appurtenant facilities. CEQA Consideration: not a project. (PRC 9271.1; RA# 07018) (A 10; S 2) (Staff: V. Caldwell)

C 53 UNITED STATES GEOLOGICAL SURVEY (LESSEE): Consider application for an amendment to Lease No. PRC 7650.9, a General Lease - Public Agency Use, of sovereign land located in the Old River, Middle River, San Joaquin River, Holland Cut, False River, South Fork Mokelumne River, North Fork Mokelumne, Little Potato Slough, Threemile Slough, Sacramento River, Sutter Slough, Steamboat Slough, Georgiana Slough, Miner Slough, Cache Slough, in Contra Costa, San Joaquin, Sacramento, Yolo, and Solano Counties; for two existing pilings and the installation, use, and maintenance of two additional water monitoring stations in the Sacramento River. CEQA Consideration: categorical exemption. (PRC 7650.9; RA# 33417) (A 7; S 6) (Staff: D. Simpkin)

C 54 JOHN H. WHITE, TRUSTEE OF THE JHW TRUST, DATED MAY 16, 2000 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 4435 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 8026.1; RA# 27817) (A 7; S 6) (Staff: J. Holt)

C 55 LYNN C. WHITE (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Petaluma River, adjacent to 37 Havenwood Road, near Novato, Marin County; for an
existing pier, boat dock, boat shed, storage shed, ramp, and two pilings. CEQA Consideration: categorical exemption. (PRC 3679.1; RA# 23917) (A 10; S 2) (Staff: K. Connor)

C 56 CHARLES R. WILLIAMS AND JOSEPHINE F. WILLIAMS (LESSEE); AND SHERMAN ISLAND LLC (APPLICANT): Consider acceptance of a quitclaim deed for Lease No. PRC 8352.1, a General Lease - Recreational Use; and an application for a General Lease - Recreational Use, of sovereign land located in the San Joaquin River, adjacent to 19900 Sherman Island Crossing, near Rio Vista, Sacramento County; for an existing boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (PRC 8352.1; RA# 12517) (A 11; S 3) (Staff: J. Holt)

C 57 ANNA YOUNG, TRUSTEE OF THE ANNA YOUNG TRUST DATED APRIL 21, 1997; CATTARINA BIRGITTA VAN DEN TOORN, AS TRUSTEE OF THE CATTARINA BIRGITTA VAN DEN TOORN SEPARATE PROPERTY TRUST DATED DECEMBER 2, 2002; AND LINNEA ALBERTA BONDOC, TRUSTEE OF THE LINNEA ALBERTA BONDOC SEPARATE PROPERTY TRUST DATED DECEMBER 2, 2002 (LESSEE): Consider revision of rent to Lease No. PRC 3582.1, a General Lease - Recreational Use, of sovereign land located in the Petaluma River, adjacent to 55 Havenwood Road, near Novato, Marin County; for a boat dock, walkway, and appurtenant facilities. CEQA Consideration: not a project. (PRC 3582.1) (A 10; S 2) (Staff: S. Evans)

CENTRAL/SOUTHERN REGION

C 58 BAE SYSTEMS SAN DIEGO SHIP REPAIR, INC. (LESSEE): Consider revision of rent to Lease No. PRC 8054.1, a General Lease - Industrial Use, of sovereign land located in the San Diego Bay, San Diego County; for ship repair dry dock facilities and appurtenant structures. CEQA Consideration: not a project. (PRC 8054.1) (A 80; S 40) (Staff: S. Evans)

C 59 SUSAN BLAIS-HADER, TRUSTEE OF THE SUSAN BLAIS 1990 FAMILY TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign located in the Pacific Ocean, adjacent to 19820 Pacific Coast Highway, city of Malibu, Los Angeles
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<td><strong>C 60</strong> CALIFORNIA DEPARTMENT OF PARKS AND RECREATION (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Pacific Ocean, adjacent to Gaviota State Beach, near Goleta, Santa Barbara County; for an existing public recreational pier and appurtenant facilities; and authorization for the Gaviota Pier Repair Project. CEQA Consideration: categorical exemption. (PRC 4300.9; RA# 00617) (A 37; S 19) (Staff: L. Pino)</td>
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<td><strong>C 61</strong> CITY OF SOLANA BEACH (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land in the Pacific Ocean, City of Solana Beach, San Diego County; for the deposition of up to a maximum of 150,000 cubic yards of sand annually at Fletcher Cove under the City of Solana Beach Opportunistic Beach Fill Program. CEQA Consideration: Mitigated Negative Declaration, adopted by the City of Solana Beach, State Clearinghouse No. 2008021047. (PRC 7938.9; RA# 24517) (A 78; S 39) (Staff: K. Connor)</td>
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<td><strong>C 62</strong> JAMES M. DAWSON AND SUSAN E. DAWSON, TRUSTEES OF THE DAWSON FAMILY TRUST DATED NOVEMBER 9, 2011 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 17071 Bolero 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 27027; RA# 30217) (A 72; S 34) (Staff: K. Connor)</td>
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<td><strong>C 63</strong> CHER C. DUBBINK, TRUSTEE OF THE CHER DUBBINK SURVIVOR'S TRUST, ESTABLISHED DECEMBER 2, 2016 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Morro Bay adjacent to 1147 9th Street, Los Osos, San Luis Obispo County; for an existing fixed pier. CEQA Consideration: categorical exemption. (PRC 7644; RA# 33317) (A 35; S 17)(Staff: L. Pino)</td>
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THOMAS C. HUTTON AND VICTORIA T. HUTTON (LESSEE): Consider revision of rent to Lease No. PRC 8257.1, a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16701 Carousel Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, cantilevered deck with partial roof, and bulkhead protection. CEQA Consideration: not a project. (PRC 8257.1) (A 72; S 34) (Staff: S. Evans)

STEPHEN R. KROLL AND JUDITH A. KROLL, AS CO-TRUSTEES OF THE STEPHEN R. KROLL AND JUDITH A. KROLL FAMILY TRUST DATED MAY 23, 1996 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign located in the Midway Channel of Huntington Harbour, adjacent to 3591 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 27001; RA# 00118) (A 72; S 34) (Staff: K. Connor)

DANIEL BERNARD LELCHUK AND DEBORAH ELLEN LELCHUK, AS TRUSTEES OF THE LELCHUK FAMILY TRUST U/A APRIL 17, 2008 AS AMENDED AND RESTATED DECEMBER 15, 2010 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16802 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 27017; RA# 31317) (A 72; S 34) (Staff: K. Connor)

LONG POINT DEVELOPMENT, LLC (LESSEE): Consider revision of rent to Lease No. PRC 8814.1, a General Lease - Non-Commercial Use, of sovereign land located in the Pacific Ocean, near the city of Rancho Palos Verdes, Los Angeles County; for a drainage channel and public beach area. CEQA Consideration: not a project. (PRC 8814.1) (A 66; S 26) (Staff: D. Simpkin)

JIM H. MARTIN AND MARILYN A. MARTIN, TRUSTEES, OR THEIR SUCCESSORS IN TRUST UNDER THE MARTIN LIVING TRUST, DATED FEBRUARY 27, 2006 AND ANY AMENDMENTS THERETO (LESSEE): Consider revision of rent to Lease
No. PRC 3857.1, a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 3532 Gilbert Drive, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: not a project. (PRC 3857.1) (A 72; S 34) (Staff: S. Evans)

C 69  TINH NGUYEN AND LAM-QUYNH NGUYEN (LESSEE): Consider revision of rent to Lease No. PRC 8259.1, a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16651 Carousel Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, cantilevered deck and bulkhead protection. CEQA Consideration: not a project. (PRC 8259.1) (A 72; S 34) (Staff: S. Evans)

C 70  LAWRENCE W. ZARRILLI, TRUSTEE OF THE LAWRENCE ZARRILLI 1993 INTERVIVOS TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign located in the Midway Channel of Huntington Harbour, adjacent to 3601 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 26999; RA# 32517) (A 72; S 34) (Staff: K. Connor)

SCHOOL LANDS

C 71  BROSAMER & WALL, INC. (APPLICANT): Consider application for a General Lease - Industrial Use, of State-owned school land located within a portion of Section 36, Township 9 South, Range 13 East, SBM, north of Niland, Imperial County; for an unimproved parking area surrounded by a chain link fence. CEQA Consideration: categorical exemption. (PRC 9106.2; RA# 21717) (A 56; S 40) (Staff: J. Porter)

C 72  PACIFIC GAS AND ELECTRIC COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 6794.2, a General Lease - Right-of-Way Use, of 3.5 acres on state lieu land, in a portion of Section 33, Township 11 North, Range 8 West, MDM, near Middletown, Sonoma County; for an existing unpaved access road, known as
C 73 SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE):
Consider revision of rent to Lease No. PRC 3392.2, a
General Lease - Right-of-Way Use, of State indemnity
school lands in a portion of Section 6, T9N R4E, SBM,
Newberry Springs, San Bernardino County; for existing
electrical transmission lines, appurtenant facilities
and an unpaved access road. CEQA Consideration: not a
project. (PRC 3392.2) (A 33; S 16) (Staff: S. Evans)

C 74 eTRAC, INC. (APPLICANT): Consider 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 6005.192; RA# 02918) (A & S: Statewide)
(Staff: R. B. Greenwood)

C 75 RASCAL LITHIUM LLC (APPLICANT): Consider
application for a prospecting permit for minerals
other than oil, gas, geothermal resources, sand and
gravel, Assessor's Parcel Numbers 041-380-01 and
041-380-02, containing approximately 640 acres of
State 100 percent reserved mineral interest, school
land, located within Section 36, T27N, R4E, SBM, about
8 miles northwest of Death Valley Junction, Inyo
County. CEQA Consideration: categorical exemption. (W
40997; RA# 03118) (A 26; S 8) (Staff: V. Perez)

C 76 UNITED STATES GEOLOGICAL SURVEY (APPLICANT):
Consider application for a Non-Exclusive Geophysical
Survey Permit on inland submerged granted and
sovereign lands located in Contra Costa, Sacramento,
San Joaquin, Solano, and Yolo Counties; using low
energy geophysical methods. CEQA Consideration:
categorical exemption. (W 6005.193; RA# 07418) (A 4,
6, 7, 8, 9, 12, 13; S 1, 3, 4, 5, 6, 7, 8) (Staff: R.
B. Greenwood)
MARINE ENVIRONMENTAL PROTECTION

C 77 CALIFORNIA STATE LANDS COMMISSION: Consider approval of proposed regulatory amendments to the 2019 California Building Code, California Code of Regulations, Title 24, Part 2, Chapter 31F - Marine Oil Terminals and Chapter 35 - Referenced Standards, for submission to the California Building Standards Commission for adoption. CEQA Consideration: not a project. (W 9777.106, W 9777.226) (A & S: Statewide) (Staff: C. Beckwith, A. Nafday, J. Fabel)

C 78 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA STATE UNIVERSITY MARITIME ACADEMY (PARTIES): Request authority for the Executive Officer to enter into an agreement with the California State University Maritime Academy to support the design, fabrication, and testing of a sampling tool to assess vessel compliance with California's ballast water discharge performance standards. CEQA Consideration: categorical exemption. (W 9777.234, W 9777.291, W 9777.295) (A & S: Statewide) (Staff: L. Ceballos, D. Cook)

ADMINISTRATION

C 79 CALIFORNIA STATE LANDS COMMISSION: Request authority for the Executive Officer to solicit statements of interest for on-call consultant services, negotiate a fair and reasonable price, and award and execute agreements of less than $250,000 per task for supporting Commission staff in the preparation of Mitigated Negative Declarations and other environmental technical studies as needed. CEQA Consideration: not a project. (A & S: Statewide) (Staff: K. Forbes, E. Gillies, J. Fabel)

LEGAL - SEE REGULAR

KAPILOFF LAND BANK TRUST ACQUISITIONS

C 80 CALIFORNIA STATE LANDS COMMISSION, IN ITS CAPACITY AS THE KAPILOFF LAND BANK TRUSTEE: Consider delegating authority to the Executive Officer to execute expenditures from Kapiloff Land Bank funds and granting authority to solicit bids, proposals for consultant services, negotiate a fair and reasonable
price, and award and execute agreements for the retention of a groundwater consultant. CEQA Consideration: not a project. (Bid Log 2018-05) (A & S: Statewide) (Staff: J. Garrett, D. Simpkin)

C 81 CALIFORNIA STATE LANDS COMMISSION, IN ITS CAPACITY AS THE KAPILOFF LAND BANK TRUSTEE: Consider authorization to expend moneys from the Kapiloff Land Bank, pursuant to the Kapiloff Land Bank Act, Public Resources Code section 8600 et seq., for removal of abandoned vessels and marine debris in the San Francisco Bay Area. CEQA Consideration: categorical exemptions. (W 27207) (A 11, 14, 15, 18; S 3, 7, 9) (Staff: C. Connor, N. Lavoie)

EXTERNAL AFFAIRS

GRANTED LANDS

C 82 CITY OF LONG BEACH (GRANTEE): Review a proposed tideland oil revenue expenditure in an amount not to exceed $5,250,000 by the City of Long Beach for two capital improvement projects located on or adjacent to legislatively granted lands in the of the City of Long Beach, Los Angeles County. CEQA Consideration: not a project. (G 05-03) (A 70; S 33) (Staff: M. Moser, R. De Leon)

FEDERAL PUBLIC LAND CONVEYANCES PURSUANT TO CHAPTER 535, STATUTES OF 2017 (SB 50, ALLEN)

C 83 CALIFORNIA STATE LANDS COMMISSION: Consider exercising right of first refusal for the acquisition of federal public lands, or right to arrange for their transfer to another entity, in the County of Riverside. CEQA Consideration: not a project; statutory exemption. (SB50-18-015) (A 56; S 28) (Staff: P. Huber, E. Kennedy)

V. INFORMATIONAL

84 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)
85 CALIFORNIA STATE LANDS COMMISSION: Consider authorizing the Executive Officer to solicit proposals, informed by the Public Trust Needs Assessment, for the development, operation and maintenance of filled sovereign Public Trust lands, consisting of approximately 9.4 acres at 410 Airport Boulevard, adjacent to San Francisco Bay, in the City of Burlingame, San Mateo County. CEQA Consideration: not a project. (W 27160) (A 22; S 13) (Staff: A. Franzoia)

86 CALIFORNIA STATE LANDS COMMISSION AND THE TAHOE REGIONAL PLANNING AGENCY (PARTIES): Consider two Memoranda of Understanding between the Commission and the Tahoe Regional Planning Agency regarding Shorezone Permitting and Enforcement, respectively, on Lake Tahoe. CEQA Consideration: not a project; categorical exemption. (W 27206) (A 1; S 1) (Staff: C. Connor, W. Crunk)

87 CALIFORNIA STATE LANDS COMMISSION: Consider a resolution acknowledging the importance of the blue economy, an organizing principle with roots in the common law Public Trust Doctrine which promotes maximum benefit, protection, and enhancement of the natural environment, securing healthy ocean and coastal ecosystems, and sustainable economic growth. CEQA Consideration: not a project. (A & S: Statewide) (Staff: F. Moye, J. Lucchesi)

88 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: A. Newman, S. Pemberton)

89 CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Informational presentation on the public, interactive Web Mapping Application developed to provide comprehensive information and the best available science related to Public
Trust uses, resources, and values in State waters offshore San Diego County. The Web Mapping Application was developed by the San Diego Ocean Planning Partnership, a pilot project of the State Lands Commission and the Port of San Diego. CEQA Consideration: not a project. (A 78, 80; S 39, 40) (Staff: M. Farnum, C. Packer, A. Newman)

90 CALIFORNIA STATE LANDS COMMISSION AND TUOLUMNE RIVER PRESERVATION TRUST (PARTIES) (INFORMATIONAL): Informational presentation on the removal of Dennett Dam from the Tuolumne River immediately downstream of the 9th Street Bridge, cities of Modesto and Ceres, Stanislaus County. CEQA Consideration: not a project. (PRC 9382.9) (A 21; S 12) (Staff: C. Connor, G. Kato)

VII PUBLIC COMMENT

VIII COMMISSIONERS' COMMENTS

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:

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 7

In re: Venoco, LLC, Bankruptcy Chapter 11

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

Martins Beach 1, LLC and Martins Beach 2, LLC v. Effie Turnbul-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


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


United States v. 1.647 Acres


2. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(b), under which;

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

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

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

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS.

The Commission may consider matters that fall under Government Code section 11126, subdivision (c)(7), under which, prior to the purchase sale, exchange, or lease of real property by or for the Commission, the directions may be given to its negotiators regarding price and terms of payment for the purchase, sale, exchange, or lease. 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.
CHAIRPERSON YEE: Good morning. I call this meeting of the State Lands Commission meeting to order. All representatives of the Commission are present. I am State Controller Betty Yee, and I'm joined today by Lieutenant Governor's staff scientist Sloane Viola and also Jacqueline Wong-Hernandez representing the Department of Finance.

And for the benefit of those in the audience, the State Lands Commission manages property interests in over 5 million acres of land including mineral interests. Commission also has responsibility for the prevention of oil spills and marine oil terminals and offshore oil platforms and for preventing the introduction of marine invasive species into California's marine waters.

Today we will hear requests and presentations involving the lands and resources within the Commission's jurisdiction.

We recognize that the lands we manage have been inhabited for thousands of years by California's native people and take seriously our trust relationship with these sovereign governments.

Today our gratitude goes to the Nisenan, Wintun, and Miwok people who have inhabited Sacramento River corridor, valley, and foothills for countless generations.
First item of business will be the adoption of the minutes from the Commission's meeting of August 23rd, 2018. May I have a motion to approve the minutes.

ACTING COMMISSIONER WONG-HERNANDEZ: Move approval.

CHAIRPERSON YEE: Motion by Commissioner Wong-Hernandez.

ACTING COMMISSIONER VIOLA: Second.

CHAIRPERSON YEE: Seconded by Commissioner Sloane.

Without objection, the minutes are adopted.

Next order of business is the Executive Officer's report.

And we'll turn to Ms. Lucchesi for the report.

Good morning.

EXECUTIVE OFFICER LUCCHESI: Thank you. Good morning. Good morning, Commissioners, and good morning, everyone watching from the webcast and any in the audience today.

There are a couple of items I want to update the Commission on:

First being an update on the Dynegy Morro Bay Power Plant decommissioning site. The Commission approved the decommissioning project at its February 2018 meeting earlier this year. In developing the mitigated Negative
Declaration for the project, Commission staff engaged in coordination under the Commission's Tribal Consultation Policy, which resulted in several mitigation measures being recommended, including a jointly developed cultural resources monitoring and treatment plan.

On Thursday, October 11th, last week, the culturally affiliated Tribal Monitor and project archaeologists discovered human remains during the excavation of the beach pipeline segment. Project activities were halted, and the remains were transferred to the county corner for examination.

If the remains are determined to be Native American, the Native American Heritage Commission will determine the most likely descendent who would work with the city of Morro Bay as the property owner to investigate the extent and ultimate disposition of the discovery.

While we understand the challenge this discovery creates for all involved, we believe this is a great example of the importance of tribal coordination and shows that the processes that the Commission both required in its Tribal Consultation Policy as well as in its approval of this specific project are working as intended to protect previously unidentified resources.

Next, I also want to highlight a recent scientific report that relates to our climate change,
sea-level rise, and environment justice work. On the heels of last month's Global Climate Action Summit in San Francisco, legislation committing California to achieving a 100 percent clean energy by 2045 and Governor Brown's Executive Order establishing a goal of carbon neutrality of 2045, the United Nations Intergovernmental Panel on Climate Change, or the IPCC, on October 6th unveiled a special report on global warming of 1.5 degrees Celsius, describing the drastic and unprecedented worldwide action that must be taken to limit the impacts of climate disruption and ensure more sustainable and equitable society. With over 6,000 scientific references cited and 91 authors from 40 different countries, the report is both a compelling call to action and a pragmatic roadmap to achieving success.

In fact, the report notes that although action needs to accelerate, some of the types of actions we need to implement to limit global warming to 1.5 degrees Celsius are already underway around the world and very much so in California.

According to the co-chair of the IPCC working group focusing on the mitigation of climate change, limiting global warming to 1.5 degrees compared with 2 degrees, would reduce challenging impacts on ecosystems, human health, and well-being, making it easier to achieve
the United Nations' sustainable development goals.

I wanted to take this opportunity, given the audience that we have at this Commission, just to highlight that report, and also acknowledge about being proud to be in California and knowing that our work is -- we're all working very hard to address the challenges associated with climate change and sea-level rise.

I want to also update the Commission on our decommissioning efforts out at Platform Holly. The Commission continues its operation and management of Platform Holly and the Ellwood onshore facility. Staff and the Commission's agents are working towards the plug and abandonment of the wells on Platform Holly so that the facilities, including the EOF, can be safely shut in in preparation for their eventual decommissioning.

On October 15th, the trustee, the successor to the Venoco, filed an adversary proceeding against the Commission, alleging the Commission's ongoing management of the EOF constitutes inverse condemnation because the Commission will not pay the trustee additional monies for the use of that property.

The presence of the State at EOF through the Commission and in Venoco's absence is absolutely critical to ensuring the health and safety of the local communities and the protection of the local terrestrial and marine
environment from potential releases of oil and hydrogen sulfide gas, and is an appropriate exercise of the police power inherent to the State.

The Commission intends to remain in control of the EOF until all the wells are safely plugged and abandoned.

Update on the Rincon Island decommissioning efforts. Regarding Rincon Island and the onshore decommissioning, staff is thrilled to announce that on September 24th work began to abandon the first of 70 oil and gas wells and, as of this morning, three wells overall have been abandoned to surface on the upland area of the former releases. This work is progressing at a more rapid rate than expected and is anticipated to generate cost savings for the state than originally budgeted.

Staff has been working in conjunction with Driltek, our abandonment contractor, and the Department of Oil, Gas, and Geothermal Resources, or DOGGR, to write and review well abandonment programs that are then submitted through DOGGR's Well Star Program for review and approval. Abandonment work on the offshore Rincon Island wells is expected to begin after the beginning of the year, 2019.

I would also like to give a brief update on our efforts to achieve public access at Martins Beach and at
Hollister Ranch. And as the Commission and, likely, most of the audience knows, in the Martins Beach versus Surfrider case, the United States Supreme Court denied review, which would -- means that the decision that the property owner cannot close the gate without first obtaining a coastal development permit stands.

As of today, we have approximately $381 in donations to our Kapiloff subaccount for the purposes of acquiring an easement for access. And we're continuing to accept donations. And in addition we continue to work with the Coastal Commission, the County of San Mateo, the Attorney General's office, to explore options and opportunities to achieve access at Martins Beach.

Relating to Hollister Ranch, there was a bill that was authored by Assembly Member Limón, AB 2534, that was recently vetoed by the Governor, with the message that the Governor believed that it was important to take another look at the 1982 Public Access Program that was developed for Hollister Ranch and update that as necessary.

In response to that, the staffs of the Coastal Commission, State Coastal Conservancy, State Parks Department, and the State Lands Commission are starting to organize to take the first steps to review that public access program. And as part of that, the State Lands
Commission staff just yesterday sent a notice to the Hollister Ranch Association letting them know that we plan to conduct a mean high tide line survey of the coastline along the 8.5 miles of the ranch property during the week of November 5th. And that is an important first step as we start to review and reassess the public access program out at that site, because it's important to understand the extent of the State's ownership as it relates to the offshore boundary in order to start reformulating what a public access program looks like out there.

So I will continue to update the Commission, you know, on a consistent manner both in regards to Martins Beach and Hollister Ranch and the public access opportunities and efforts that we're working on there.

And that concluded my Executive Officer's report.

Thank you very much.

CHAIRPERSON YEE: Great. Thanks, Jennifer. And just want to say congratulations to the staff on just the tremendous progress on the well abandonment. It's really great progress.

Comments from Commissioners?

Okay. Great. Thank you for the report.

Next item of business will be the adoption of the consent calendar.

And are there any items, Commissioners, that you
wish to remove from consent?
And I see that we have some speakers here for
Item 27. Should we --
EXECUTIVE OFFICER LUCCHESI: Yes. So I would
like to remove a couple of consent items.
CHAIRPERSON YEE: Okay.
EXECUTIVE OFFICER LUCCHESI: And I'll move Item
27 to the regular agenda.
So officially --
CHAIRPERSON YEE: Okay.
EXECUTIVE OFFICER LUCCHESI: -- consent items C4,
C15, C30, C41, and C42 are removed from the agenda today
and will be brought to the Commission at a later date for
consideration.
CHAIRPERSON YEE: Okay.
EXECUTIVE OFFICER LUCCHESI: C27 will be moved
from the consent agenda to the regular agenda to be -- for
a staff presentation, and allow public testimony prior to
the vote by the Commission.
CHAIRPERSON YEE: Okay. Very well. Thank you
very much.
All right. Commissioners, we have then these
items that have been removed, C4, C15, C30, C41, C42, to a
later date agenda. C27 on to the regular agenda today.
Is there a motion on the remainder of the
ACTING COMMISSIONER WONG-HERNANDEZ: Move consent of the calendar as amended.

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

ACTING COMMISSIONER VIOLA: Second.

CHAIRPERSON YEE: Seconded by Commissioner Sloane.

We will -- without objection, we will adopt the consent calendar.

Thank you very much.

Let me go ahead and do this. Let me go ahead and maybe take up Item 27 --

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON YEE: -- now. We have people in the audience who are here.

Let me ask for the staff presentation on Item 27. And we will have our public speakers address this after that.

PUBLIC LAND MANAGER LAVOIE: Hello, Commissioners and members of the public. I am Nicholas Lavoie with the Commission's Land Management Division, and I'm here to introduce staff's report 27, an application for a General Lease - Other with the Association of Surfing Professionals, LLC, doing business as World Surf League.
(Thereupon an overhead presentation was
Presented as follows.)

PUBLIC LAND MANAGER LAVOIE: The application is
for a temporary use of sovereign land in the Pacific
Ocean, offshore of Pillar Point, near Half Moon Bay in San
Mateo County, to conduct a professional surfing contest
commonly known as The Mavericks Challenge.

The Mavericks Challenge is a one-day Big Wave
surf event that began as a recreational pursuit by local
surfers in the sixties and has since turned into an
invitation-only contest with professional big wave surfers
from around the world. This event, while temporary, is a
large commercial operation that requires exclusive use of
State land and resources.

Historically this well-known event has not
allowed female athletes to participate. The Committee for
Equity in Women's Surfing played a central role in
bringing this inequity to our attention. Working with
both us and the California Coastal Commission, the
applicant has committed to creating a women's division in
the competition and providing equal prize money to all
competitors regardless of gender.

To codify these important commitments made by the
applicant, staff recommends including provisions in the
lease that memorialize equal benefits, opportunities, and
prize money regardless of gender.

Additionally the applicant has taken this commitment to equity even further, when last month they announced that they will award equal prize money to male and female competitors at all applicant-controlled events worldwide, including The Mavericks Challenge.

Staff believes that an annual one-day professional surfing event is generally consistent with the Public Trust -- with the common law Public Trust Doctrine and will not substantially interfere with other Public Trust needs at this location at this time and for the foreseeable five-year term of the proposed lease, and it is in the State's best interests. Therefore, staff recommends approval.

I am available to answer any questions.

CHAIRPERSON YEE: Thank you very much for the presentation.

At this time let me call forward our public speakers.

First Dylan Budd with the World Surf League, followed by Sabrina Brennan with the Committee for Equity in Women's Surfing, Edmundo Larenas, and then Jennifer Savage with Surfrider, in that order.

MR. BUDD: Thank you and good morning.

CHAIRPERSON YEE: Good morning.
MR. BUDD: My name is Dylan Budd and I'm the general counsel for the World Surf League. I'm here in support of our lease application to hold a one-day surfing competition, The Mavericks Challenge, as part of our Big Wave Tour.

The World Surf League is the global leader in surfing competitions. We run more than 180 events around the world across our Championship Tour, Big Wave Tour, Qualifying Series, Junior and Long-board championships at the most iconic surf spots in the world. We crown the undisputed world champions of surfing across these disciplines. We partner with leading brands and sponsors, and we distribute our events around the world across a number of media platforms.

If approved and conditions permitting, this would be the first year that we bring the Big Wave Tour to The Mavericks site. Our Big Wave Tour features waves of at least 25 feet and is some of the most breathtaking surfing to watch.

We continue to invest and expand in this tour, including, as mentioned, in the area of participation of women's athletes, which will increase this year from six competitors in our proposed event from last year to 10 this year in a multi-heat format.

It's an incredible exciting time for surfing in
California and around the world. Not only did surfing become the official sport of the State of California this summer, but we also announced equal prize money across our men's and women's divisions. It's a project that our company has been working on for over a year led by our CEO Sophie Goldschmidt and our Deputy Commissioner Jessi Miley-Dyer, a retired championship tour competitor who has advocated on behalf of women surfers for over a decade. It is part of the company's vision since we restructured six years ago, which combines the beauty and excitement of our sports with the values of inclusiveness, event safety, and environmental stewardship.

We thought it was a great time with our recent Surf Ranch Pro events in Lemoore, California, on our artificial wave pool and with this upcoming Mavericks Challenge to announce this initiative which we're extremely proud of.

As noted in our application, we consult heavily and work closely with local agencies and stakeholders, which is why our events are the best run in the world of surfing.

Thank you to the local surfers, the public, and community groups for supporting our applications; and thank you to the Commission, to the executive director, and to staff for all their assistance in the process and
for considering our request.

    Thank you.

CHAIRPERSON YEE: Thank you, Mr. Budd, very much.

    Ms. Brennan.

MS. BRENNAN: Thank you for the opportunity. I have Ed Larenas ceding time to me. Is that okay?

CHAIRPERSON YEE: Yes.

MS. BRENNAN: Okay. Thank you.

So I'm Sabrina Brennan. I'm currently serving a second term on the San Mateo County Harbor Commission and I'm a co-founder of the Committee for Equity in Women's Surfing. I'm here today as a representative of CEWS.

    We would like to thank your staff and particularly the executive director for their excellent work. Thank you for that. And we support approval of the proposed lease agreement with the World Surf League.

I'd like to provide some context regarding the proposed State Lands Lease Agreement for The Mavericks Challenge surf competition.

Three years ago I was -- sorry -- three years ago I asked the California Coastal Commission to add a condition requiring a women's heat to a CDP for the event. It was the first time the Coastal Commission had ever considered permitting The Mavericks competition, and some of the Commissioners were surprised to learn that the
event had a history of gender-based discrimination.

At the November 2015 hearing, I informed the Coastal Commission about the San Mateo County Harbor District five-year exclusive permit with Cartel Management, the Titans event promoter. I explained that the harbor district permit specified that only one surf contest could be held at Mavericks from November 1, through March 31. I made the point that the exclusive permit prohibited any other competitive events that might have included a women's division.

November 2015 there was a motion made to approve the CDP application and there was a condition added by Commissioner Mark Vargas. Mark Vargas said, "I'm a little concerned about the fact that there's no clear plan for highlighting, involving, or encouraging the growth of women in this event or in this sport.

"I'll float it out there. I'd like to see if I can make an amended motion to add a specific condition that we ask the applicant to provide a plan for encouraging equal opportunity for women surfers in future events."

A clear mandate was issued and a 7-4 vote to approve Vargas' amended motion. And in 2016 and 2017, the Coastal Commission voted unanimously to include women in The Mavericks competition.
There have been many hurdles since then, including Griffin Guess's discriminatory behavior and retaliation against women and his company Cartel Management filing bankruptcy in federal court. In August 2017, the World Surf League bought the San Mateo County Harbor District multi-season permit out of bankruptcy for $525,000.

We were hopeful that women would finally have an opportunity to compete. However, by the time the WSL got their permit in order the season's best surf conditions had already passed.

In 2018, the Committee for Equity in Women's Surfing requested a meeting with the WSL on numerous occasions to address concerns about gender-based discrimination and equal pay. The WSL refused to schedule a meeting with us until after we sent the Coastal Commission a letter on July 9th, 2018, that said: "Unfair business practices prevent women professional surfers from utilizing public resources and coastal access. Please take action to prohibit gender-based discrimination."

On July 23rd, 2018, CEWS met with the WSL in Redwood City. We presented a proposal for equal prize money and a multi-heat women's division in the 2018, 2019 Mavericks Challenge. On July 30th, 2018, the WSL agreed to a three-heat women's division that would include up to
10 athletes. We were very happy about this.

On September 5th, 2018, the WSL agreed to full prize money equality across all global WSL-controlled events. This was amazing.

Sorry, I still get...

CHAIRPERSON YEE: That's okay.

MS. BRENNAN: Starting in 2018, equal prize money will be awarded in the Big Wave Tour. The season's schedule for the 2018-2019 Big Wave Tour women's division will include The Mavericks Challenge and the Pe'ahi Challenge.

In 2019, the Championship Tour, the Long-board Tour, and the World Junior Championships will be awarded equal prize money.

This is a precedent-setting victory. Recently economics professor David Berri was quoted in CALmatters article by Laurel Rosenhall. Berri said, "The Mavericks case could set precedence for local governments to demand equal pay in any sporting event held on public property."

We hope that our success will expand future opportunities for inclusion and pay equity for all sports leagues, and we look forward to future legislation.

The persistence of women and girls paid off. Women surfers and their supporters stood together united in their demand for equality and equal pay. We did not
back down and we refused anything less than equal pay.

When offered compromises such as equal pay --
sorry. When offered compromises such as equal pay at some
future date in the next few years, we did not give in. In
July 2018, the WSL threatened to cancel The Mavericks surf
competition and we stood our ground. With helpful
collaboration and assistance from two State agencies, we
thank the California State Lands Commission members and
staff for their work in bringing equality to the publicly
owned sovereign lands of California, and we thank the
Coastal Commission members and staff who have worked
tirelessly to bring equality to the use of State resources
for The Mavericks Challenge.

I thank you for this. And I pretty much said the
same thing at the Coastal Commission meeting that recently
happened in San Diego, and I did not get this emotional.
So I think -- I think what's amazing about today is that
this is a culmination of all the work over years, and this
is just the whole thing coming full circle today.

So thank you.

CHAIRPERSON YEE: Thank you, Ms. Brennan. And
thank you for your sustained leadership on this issue.
This is a defining moment for sure.

Jennifer Savage, if you're here, please come
forward.
MS. SAVAGE: Good morning, Commissioners.

CHAIRPERSON YEE: Good morning.

Jennifer Savage, Surfrider Foundation.

The concept of access is most often addressed in physical terms such as gates, parking policies, coastal erosion, poor water quality, or other clearly quantifiable deterrents. However, access can also be defined and denied by less tangible measures including intimidation or an attitude of exclusion. Surfrider therefore takes a strong stand on access equity.

The surf contest at Mavericks has long been run contrary to the Coastal Act by historically reducing access opportunities for a specific subset of people.

Surf contests inherently impact public access by their nature. Adding gender exclusion to the physical impacts is clearly unacceptable. Therefore, Surfrider Foundation has stood with the community for equity in women surfing in demanding a multi-heat women's division in The Mavericks competition. We further support equal prize money for winners regardless of gender, which feels crazy to be saying in 2018. But here we are.

And we congratulate the WSL for its commitment to providing equal prize money not only to the winners at The Mavericks contest but to male and female contest winners at their events throughout the world. Certainly an
example we hope others emulate.

And speaking of leadership, we would be remiss to not mention the leadership shown by Commissioners and by Commission staff. We thank your staff and Chair Yee for making gender equity a clear requirement when it comes to Public Trust lands and coastal access. Mavericks is a single surf contest - an exceptional one, to be sure - but the message sent is a necessary one. Thanks to you and your staff.

And as Sabrina noted, this permit application marks a quantifiable and historical turning point in access equity. We therefore offer our full support for this application and we look forward to the positive influence that your decision will have going forward.

Thank you.

CHAIRPERSON YEE: Thank you, Jennifer, very much. Comments, members, on this? Yes, please, Commissioner Sloane.

ACTING COMMISSIONER VIOLA: I would just like to extend gratitude to the advocates for their passion and their persistence, and to staff for their engagement and responsiveness, and then also to the World Surf League for going beyond just The Mavericks competition and extending equal pay to all competitions worldwide. It really sets the necessary tone. So thank you for that.
CHAIRPERSON YEE: Thank you very much.
Other comments?
Okay. Now, we've got some noise above us.
But first let me just say thank you to the World Surf League for really putting the marker down on this issue.
And, you know, I echo Ms. Brennan's emotion around this. And all I keep thinking was that Title 9 was over 45 years ago, here we are.
With that, I think we need an action on this item.
Okay. May I -- is there a motion on this?
ACTING COMMISSIONER WONG-HERNANDEZ: Move approval of the application.
CHAIRPERSON YEE: Okay. We have a motion by Commissioner Wong-Hernandez to approve the lease application.
ACTING COMMISSIONER VIOLA: Second.
CHAIRPERSON YEE: With a second.
Without objection, the lease application is approved.
Thank you very much.
Our next item will be the regular calendar. And we will now move to Item 85. And this is in consideration of authorizing the Executive Officer to solicit proposals
for filled sovereign Public Trust lands adjacent to San Francisco Bay and the City of Burlingame.

I'm going to ask for the presentation. And then we have quite a few speakers, but I'll call you up after the presentation.

(Thereupon an overhead presentation was Presented as follows.)

PUBLIC LAND MANAGER LAVOIE: Hello again, Commissioners and members of the public. I am Nicholas Lavoie, a Public Land Manager in the Commission's Land Management Division, and I am presenting an Item 85.

This item concerns a vacant owned State property at 410 Airport Boulevard, located in the City of Burlingame, and adjacent to the San Francisco Bay.

Development of this site has been a topic of interest to the Commission, the City of Burlingame, and Burlingame residents for years, and a number of uses have been proposed for the site. With the divergent proposals previously received, a Public Trust needs assessment became a necessary planning tool to inform the Commission on future use.

At the Commission's February 27th, 2018, meeting the Commission authorized the temporary moratorium on the acceptance and consideration of lease applications for use of the property and for staff to conduct a Public Trust
needs assessment and report back to the Commission on Public Trust needs in the area.

    This staff report and presentation is to report staff's findings and to make a recommendation on steps going forward.

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    PUBLIC LAND MANAGER LAVOIE: Staff kicked off this process by engaging with the City of Burlingame to set up a public meeting in the community. The city was a huge help in organizing the meeting and reaching out to the community. On March 22nd of this year staff held a public outreach meeting in Burlingame attended by more than 100 people. Attendees included staff from the offices of Senator Jerry Hill; Assembly Member Kevin Mullin; San Mateo County Supervisor Dave Pine; staff from the city, as well as current and former city council members; former lease applicants; current lessees in the area; neighboring property owners; hotel labor union members; various advocacy organizations; and residents from the region.

    The needs reported by the public primarily focused on passive and recreational uses such as open space, park space, and water access.

    The public expressed a strong desire to keep and improve the existing Bay trail as well as create a San
Francisco Bay Area water trail access point for water-related activities. All of these types of uses would support the regional and statewide effort to facilitate public access to and use of the State's waterways regardless of race, gender, or socioeconomic status.

Members of the public also highlighted immediate needs for the site that should be addressed as soon as possible regardless of the long-term vision. Those short-term needs are to remove existing debris, fill voids in the Bay trail, remove hazards along the shoreline, and provide basic site maintenance such as preventing vegetative overgrowth and providing trash service.

Following the public meeting, the staff compiled the comments and posted the comments on the Commission's website. Staff contacted all interested parties and -- we were aware of and asked them to review the list to make sure we did not miss anything and to give another opportunity to provide additional input.

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PUBLIC LAND MANAGER LAVOIE: Staff organized all comments received at the public outreach meeting through phone conversations, emails, and reported it in person.

Further, staff created general categories to group similar public needs reported by interested parties.
These groups are shown on the screen and are identified as bay and water access; parks, both active and passive; open-space preservation and restoration; commercial visitor serving; and miscellaneous, to capture some of the other unique ideas we heard.

After staff's initial assessment we posted a draft of the Public Trust needs assessment on the Commission's website on June 21st, with a 30-day comment period that ended on July 23rd. Notice of the draft was sent out to all interested parties, and it was noticed through social media.

Staff reviewed the comments made and prepared the final Public Trust needs assessment, which is available as Exhibit B to this staff report.

The Public Trust needs assessment has helped guide staff's analysis for general uses. However, specific creative and innovative design concepts should be fostered. Staff recommends soliciting proposals to develop the site, to expand public access to the Bay waters and shoreline, improve the shoreline protection and Bay trail, and create a waterfront destination that includes a diverse mix of Public Trust consistent uses.

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PUBLIC LAND MANAGER LAVOIE: Staff proposes use of the Request for Proposal, or RFP, process. The RFP
process is a competitive process regularly used by public
and private sector to obtain very complex and/or unique
services in which professional expertise and methods may
vary greatly and creative or innovative approaches are
needed.

The preference for using competitive methods of
procurement is that they tend to promote transparency,
efficiency, and minimize the perception of favoritism or
bias. This will afford project proponents a commonly used
and understood fair and equitable process in applying to
develop the property. In line with the standard RFP
process, applicants will be aware of the requirements,
goals, and expectations for their proposal. Applicants
will also be aware of how applications will be scored and
what to expect long term.

The selected project will need to be consistent
with the information received from the Public Trust needs
assessment and meet the State's needs associated with safe
and equitable public access, including site maintenance
and addressing shoreline protective structure repair and
ongoing maintenance needs.

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PUBLIC LAND MANAGER LAVOIE: Staff proposes that
the RFP will include, but may not be limited to, the
following requirements:
Public Trust consistent uses.

How public access to the Bay will be a primary use.

Long-term maintenance plan.

Addressing existing shoreline protective structure and Bay trail segment to facilitate climate change resiliency and public trail access.

Adaptation to climate change and sea-level rise.

Detailed short-term project funding and long-term site maintenance.

Basic architectural features including site plans and floor plans, if applicable.

How the project would avoid delays in construction, operation, and maintenance of facilities due to labor disruptions.

A resumé of project team experience and pro forma financial package.

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PUBLIC LAND MANAGER LAVOIE: Short-term implementation of the long-term plan includes evaluation of proposals by a review panel consisting of Commission staff, and ranked numerically based on predetermined criteria. Staff would then negotiate a short-term lease agreement with the top ranked applicant.

The purpose of the short-term lease agreement is
for the applicant with the highest score to have control
of the lease premises to begin the CEQA review process and
obtain other regulatory entitlements.

The short-term lease agreement would be brought
to the Commission at a properly noticed public meeting for
approval. Subject to approval by the Commission of the
short-term lease, staff would then begin the CEQA process
analyzing the proposed project.

If agreement short-term lease can be reached with
the first applicant, the second ranked qualified applicant
would be considered, continuing down the list until
agreement is reached.

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PUBLIC LAND MANAGER LAVOIE: Staff plans to
continue to work closely with the City of Burlingame and
other agencies throughout this process to ensure that our
collective objectives are being met. After the completion
of the CEQA process staff anticipates engaging in a
negotiation for a longer term lease with the applicant.
The CEQA document and the proposed long-term lease would
be brought before the Commission at a properly noticed
public meeting for approval.

I understand that quite a few people have
comments on this item and we have been excited to see the
engagement. However, I do want to be very clear about
what is before the Commission today.

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PUBLIC LAND MANAGER LAVOIE: Today the recommendation is to authorize the Executive Officer or her designee to issue a request for proposal, evaluate those proposals, select a proposal and negotiate a short-term lease with the applicant which will be brought before the Commission at a future date for consideration. There is no lease application before the Commission today, and any short-term or long-term lease would be brought before the Commission at a properly noticed public meeting for your consideration.

I am available to answer any questions. There are also representatives from the city here to address any questions that may pertain to the city.

Thank you.

CHAIRPERSON YEE: Thank you very much for the presentation.

Let me go ahead and begin the public testimony. There was quite a list of speakers, so I'll call you up in 3s.

First is Ebbie Nakhjavani with EKN Development Group, followed by Veronika Vostinak with Sphere Institute, and Leslie Flint with the Sequoia Audubon.

MR. NAKHJAVANI: Good morning, members of the
Commission. My name is Ebbie Nakhjavani. I'm with EKN Development Group, 220 Newport Center Drive, Newport Beach, California.

Thank you for allowing me to speak today regarding the property on Airport Drive, and thank you to staff for gathering significant public input and preparing its report.

I agree with the recommendations contained in the staff report and encourage the preparation of an RFP to allow interested parties to demonstrate the highest and best use for the property that meets the needs of the statewide and regional public, and is consistent with the Public Trust Doctrine and the Commission's vision, mission, and strategic plan.

As stated in the staff report, a hotel or other visitor-serving commercial use would be consistent with the Public Trust Doctrine as a statewide or regional use that facilitates the public's enjoyment of the waterfront.

Moreover, development of the hotel could also set aside significant portions of the property and include sustainable and financially viable plans to promote and provide uses such as open space, preservation, and restoration; Bay and water access; and park space.

The hotel project with a substantial open-space area can deliver a financially and environmentally viable
program to keep and improve the existing Bay trail as well
as create a San Francisco Bay Area water trail access
point to water related activities including wind surfing
and kite boarding.

A multiple use project can -- that includes a
hotel will create jobs and will ensure the ongoing
maintenance of the entire property to commence in a timely
manner and guarantee enhancements of the shoreline and
ensure the protection of the property for years to come.

Thank you very much for the opportunity to speak.

CHAIRPERSON YEE: Thank you very much.

MR. NAKHJAVANI: Thank you.

MS. VOSTINAK: Good morning. I'm Veronika
Vostinak, and I'm here on behalf of the Sphere Institute,
one of the prior applicants for the parcel.

(Thereupon an overhead presentation was
Presented as follows.)

MS. VOSTINAK: Our proposal for Burlingame
Shoreline Park reflects an overwhelming public preference
for the use of the land in line with the Public Trust. As
a nonprofit government contractor and neighbor to the
site, we're in a unique position to make this need a
reality.

We've been working over the past year refining
design and funding as well as creating valuable
relationships with partners, advisors, and stakeholders. Sphere will provide all design and permitting costs to ensure the project can move forward without delay, and is committing 150,000 per year in order to ensure there is significant funding for operations and maintenance.

Most recently we have partnered with the San Mateo Resource Conservation District and worked with the Peninsula Open-Space Trust and Committee for Green Foothills as strategic advisors.

96 percent of the comments made during the Public Trust needs assessment reflected a vision similar to ours. We believe the site can be a legacy for the State and the Commission as well as being cherished by the public for generations to come.

Please help us make this vision a reality and give priority to viable open-space restoration proposals in the RFP.

Thank you, Commissioners, for the opportunity to speak today, and thank you to the Chair for allowing us to combine our speaker cards today to designate a spokesperson for the Sphere Institute to give you a little bit more detail.

In that case I would like to introduce Karen Verpeet, who's our landscape architect with H.T. Harvey &
Associates, and she will take it from here.

MS. VERPEET: Hi. Thank you for the opportunity.
Let's dive right in.

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MS. VERPEET: So looking at the vision and approach for the site. We really think that committing the entire parcel to --

CHAIRPERSON YEE: I'm going to ask you to move right up to the microphone so they can all hear you.
Yeah, thank you.
MS. VERPEET: Is that better?
CHAIRPERSON YEE: Yes.

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MS. VERPEET: Okay. By committing the entire parcel to open space, there's a really unique opportunity to provide universal access to the Bay: To define the waterfront, to highlight interactions with nature, to educate the public about climate change and sea-level rise, and to respond to the Public Trust needs assessment which was overwhelmingly in support of open space.

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MS. VERPEET: As Veronika mentioned, Sphere has partnered with the RCD -- San Mateo RCD. A summary of their role is shown here. And we'll get into more details of that later in the presentation.
MS. VERPEET: Sphere has strategic partners, planning advisors in both POST and the Committee for Green Foothills and for water access with BASK, the Bay Area Sea Kayakers, and the San Francisco Board Sailing Association, to ensure that the water access meets their needs.

MS. VERPEET: The project has the support of many other organizations as well. And should Sphere be selected as the leasee, there will be ongoing coordination regarding operations and programming with other entities as well.

MS. VERPEET: So the project is in line with State Lands Commission approved uses for the site as well as the Public Trust needs assessment, with only 3 percent of responders preferring a hotel.

The project is line with the scientific community's goals for this part of the Bay based on the Baylands Goals Project, and with Californian and local voters who all overwhelmingly support open space and habitat preservation measures at the ballot.

MS. VERPEET: In terms of context, we see this as an important opportunity to demonstrate and respond to
sea-level rise and also to restore habitat in a meaningful way.

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MS. VERPEET: To address environmental justice, the site is located in what is considered a low income community by the California Air Resources Board.

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MS. VERPEET: To advance State goals in policy, in the State Lands Commission's Strategic Plan there's a key action related to climate change and preservation and enhancement of habitat.

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MS. VERPEET: The concept plan is really focused around the creation of a tidal marsh right behind the existing seawall. We would dig that out, create a marsh, and then create a gentle transition slope into the uplands to show what the historic coastline and shoreline would have looked like here.

Around that habitat restoration will be more formal park elements that would be a location for folks to gather and to be able to enjoy these interactions with nature.

The Bay trail would run through the site and there would be two distinct water access points straight into San Francisco Bay.
MS. VERPEET: This is a -- let me see if I can get this to work.
Can you click on it?
Thank you.
There's a simulation here, it's about 10 or 15 seconds, that shows if it will load.
There it goes.
How the tide would come into the site through the breached seawall. And you can see how that tidal marsh will be inundated, and the park will be formed around that.
I should also mention that the marsh will be constructed at the appropriate elevation to have it be vegetated. It would not be a mudflat, which is an existing condition immediately adjacent.

MS. VERPEET: In terms of educational opportunities, we see three main topics: Sea-level rise, of course, as just mentioned; but also native ecology, native habitat, plant communities, most of which have been extirpated from this part of the Bay shoreline.
And then also talk about regional connectivity, the Bay trail as it connects up and down the peninsula and the access points into the water.
MS. VERPEET: In terms of funding, we see this as a three-phase project. The first would be happening during the short-term lease that was just mentioned during the staff presentation. So that's design, permitting, and funding acquisition. We anticipate that would take about two years at a cost of approximately $2 million, and Sphere would cover all of that cost.

Phase 2 is construction. That's up to three years at a cost of 12 to $15 million, and Sphere and grant money would largely cover that cost, potentially with some private funding added in.

And then phase 3 is post construction, is ongoing operations and programming; ongoing annually, estimating right now at about 150,000 per year. Sphere again would take the lead on funding and operations and work with others on operations and programming.

MS. VERPEET: So in terms of the RCD's fear of partnership because RCD is a public district, in phase 1, as we're doing the planning work, the RCD would apply for and manage all of the public grants - so they would completely hold that part of the process - while Sphere continues as they have been, taking the lead on the design process as well as the permitting process with the
regulatory agencies.

Then during construction it's really the RCD that completely takes over. They will manage it from start to finish, hiring the contractor, managing their work, paying them, and dealing with all of the funds related to construction and all of the grant monies that funnels through them.

And then in phase 3, which is the ongoing park operations, the RCD will become a monitoring entity to make sure that the project is meeting all of its both grant and permit obligations.

And Sphere will be taking the lead on operations and funding and programming with others.

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MS. VERPEET: So there's a lot of information on this slide. I don't expect you to be able to read it. It's also in the packet that was provided to you all last week. In essence, it shows that during the short-term lease we'll be conducting the design, permitting and funding; and then once the long-term lease is awarded, we would be able to open the park within the first year. So after the first construction season, it would be open to the public. And then in up to two more construction seasons, we would be able to wrap up all of the remaining park elements. So that would complete the three-year
process.

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MS. VERPEET: In terms of funding, we have had some very promising conversations with staff at the San Francisco Bay Restoration Authority as well as the Coastal Conservancy, and are very optimistic that really Measure AA and Prop 68 alone would be able to fund this project. There are many other additional likely public funding sources that could come into play should they be needed. But these two in and of themselves will -- should be sufficient.

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MS. VERPEET: And this is a little bit more detail again. I realize this is small. The first two lines show that Measure AA has $25 million available per year. And because we're going into a three-year -- or two- or three-year construction season, we're asking for a total of 8 to 10 million over that timespan. So it's a very reasonable assumption. And Prop 68 we're assuming 5 million from them.

So that very easily gets us to the total 12 to 15 for the project. And then the other public grants listed there also have a lot of funding available.

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MS. VERPEET: So, in conclusion, we feel that a
park-focused -- a hundred percent on restoring the Bay edge and providing access best fills the needs of the Public Trust. Because it's fully water dependent and oriented, it can only happen at this location. It facilitates public access to and enjoyment of the shoreline. It addresses a shortage of natural habitat along this part of the shoreline in what is considered a low-income community. And it responds to sea-level rise and provides a demonstration project and a public education project around that.

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MS. VERPEET: So, in conclusion, the project is viable in partnership with the RCD, with our strategic planning advisors, and with our many supporters; it is fundable, again just through Measure AA and Prop 68 alone; it's in line with the Commission's 2015 Strategic Plan key action items; it's in line with the Public Trust needs assessment that was just conducted, again, you know, with only 3 percent of responders preferring a hotel; it's in line with the State and local voters' support for open space, an that's exactly why the money is available through Measure AA and Prop 68 - those were voter-approved measures, so the funding is there - and it's in line with the scientific community's goals for this part of the Bay.

So we thank you for your time, and we're happy to
answer any questions that you may have.

CHAIRPERSON YEE: Great. Thank you very much. Questions or comments?

Okay. Not at this time. Thank you for the presentation.

MS. VERPEET: Thank you.

MS. FLINT: A short person now. (Laughter.)

MS. FLINT: Hi. My name is Leslie Flint and I represent Sequoia Audubon Society, which is the San Mateo County chapter of National Audubon.

In May, May 3rd we submitted a letter to the Commission in support of keeping this property as open space. And I'm assuming you have a copy of that in your materials.

I just wanted to reiterate that Sequoia Audubon supports the opportunity to keep this parcel 100 percent as open space, with the potential for habitat restoration to support wildlife along San Francisco Bay.

Thank you.

CHAIRPERSON YEE: Thank you very much.

Our next three speakers will be Mary Hufty, Lee Strieb, and I believe it's Helen Wolter. I'm sorry, I can't read the first name.

MS. HUFTY: I'm Mary Hufty. I'm representing
myself as an individual, but I began an organization
called Bay Visions, which was the six garden clubs of
Northern California, working to make a cleaner and
healthier bay.

We are really excited by this opportunity that's
in front of you - we feel that you couldn't possibly do
better - and want to have you consider a hundred percent
open space in your consideration.

CHAIRPERSON YEE: Thank you.

MR. STRIEB: Good morning, Commissioners. My
name is Lee Strieb and I'm here today on behalf of Unite
Here, which is the Hotel Workers Union. My main job is to
coordinate the union's work dealing with hotel development
throughout the West Coast.

And our union, Unite Here, especially our San
Francisco and San Mateo affiliate, Local 2, is very, very
interested in what happens with the 410 Airport parcel.

The Local 2's been very involved in a good
dialogue with your staff about the land and had over 20 of
its members from San Mateo County at that meeting in the
spring.

Right now, this month unfortunately for this
conversation they're preoccupied with their strike against
seven Marriott hotels in San Francisco, so I'm here
representing the organization.
So with all that said, I want to just make a few quick points. First, Unite Here supports and urges you to approve the staff recommendation to for an RFP or a proposal solicitation for the use of 410 Airport. We're not taking a position on what you should do with that land. We're not for or against any particular use. But we think that a clear transparent process like the one that's been proposed here based upon the -- you know, with information based upon the needs assessment and so on, it is the way to go and we support that.

Secondly, if it does end up that there's a developer with a proposal for a hotel on the parcel, and if it is the case that that proposal is likely to be brought before you for consideration as a winning bidder, then we ask you to make sure that before that gets to you for any action, that the developer has shown and proven to you and to the staff that it has in place what's called a labor peace agreement for the hotel. And that would be an agreement with the relevant union or unions that provides you with a guarantee of labor peace, in hotel operations and also potentially in hotel construction. That would be a benefit to the agency, to the State Lands, because it would protect from the adverse impacts of strikes and picket lines and so on, the lease revenues that your body is set to receive or would be set to receive from such a
Frankly, it also makes sense for you to get that issue out of the way sooner rather than to have it linger and, you know, pop up as a problem later in this process.

So on that labor peace issue, what's before you today directing staff to solicit proposals for the site, contains some helpful language about having proposers tell you how they'll deal with labor disruptions and delays, and avoiding those. And we're pleased about that language being included and generally about your staff's responsiveness on this issue.

At the same we urge you to go a step farther by making clear that your one-third will be in place, a labor peace agreement, before any serious hotel project proposed for that parcel can move very much farther forward. We've shared with the staff some ideas on the mechanism for doing that.

And in general, we hope that this project can be a model for balanced development on publicly owned parcel throughout the State, and we look forward to continuing to work with you and your staff on this.

Thank you.

CHAIRPERSON YEE: Thank you, Mr. Strieb for coming forward.

Next we have -- and I'm sorry -- but Ms. Wolter.
MS. WOLTER: Thank you.
Good morning, honorable Commissioners. My name is Helen Wolter, and I represent the Committee for Green Foothills, Save the Bay, Baykeepers, and the Loma Prieta Chapter of the Sierra Club. Thank you for your consideration of our comments on this issue.

We are here today over an unusual site. The site was under water not very long ago, and eventually it will be under water again. This is an opportunity to create something that will last a long time, a crucial decision that you can point out to next generations.

Creating something that would last for generations is truly unusual. You could have a hotel and rest on the substantial lease revenue to the State. However, when the site is eventually inundated, you would be leaving a legacy that would cost the next generation - and most likely the cost would be born by the public rather than the developer - a ton of money.

In terms of economics, if you spend $2 today, you will save $10 later on due to the inundation from the sea-level rise.

Will the revenue from a hotel use on this land make up the difference? And what is the liability to the State? As the city of Burlingame has not even yet studied their options with the coming sea-level rise and their
liability, it seems negligent to consider a hotel proposal. As the city of Burlingame already has 1.3 billion in unprotected assets, most of which are on private lands, I'm surprised that the State would even consider potentially adding to the climate change bill.

Another key difference about this site, it is public land. And the public spoke during your staff's public outreach process, and by a landslide wants this parcel as open space. To have 96 percent of the public agree on something, which was the case here, is highly unusual.

Lastly, the site has unique environmental potential due to its proximity to the San Francisco Bay. It offers considerable potential habitat and conservation benefits, in an area that solely[SIC] lacks these benefits, while offering to improve public access to the Bay. Since 90 percent of the Bay's historic wetlands have been lost to development, this is a remarkable opportunity to reclaim shoreline.

We do hope that the State Lands Commission recognizes this chance to create a long-term difference along the Bay that counters development pressures, as there is not enough quality natural space in this part of the Bay waterfront.

In closing, when considering the proposals that
may be submitted under the RFP process, please do not privatize this public land by allowing a hotel.

Thank you for your time and thoughtfulness in this matter.

CHAIRPERSON YEE: Thank you, Ms. Wolter. All right. Next up we have Rick Johnson. Come forward. Barb Singleton, and then Edmundo Larenas, and then Sabrina Brennan.

MR. JOHNSON: Thank you for the opportunity to speak. My name is Rick Johnson.

CHAIRPERSON YEE: You can pull the microphone up higher.

MR. JOHNSON: A little higher?

CHAIRPERSON YEE: Yeah.

MR. JOHNSON: Can you hear me now?

CHAIRPERSON YEE: It will probably be more comfortable.

MR. JOHNSON: Okay. My name is Rick Johnson from Menlo Park. Today I'm speaking for the Citizens Committee to Complete the Refuge. This is a regional organization that focuses on advocacy for protecting, restoring wetlands in San Francisco Bay, and has participated in letters in earlier parts of this process. The main point I want to make today is that I
would like to see a change in the RFP proposal. I think it's something that you could do in doing it. The -- the RFP calls for proposals that match certain primary uses. And I believe that this primary use should be included:

Restoration of native habitats including intertidal and transition zones.

So adding that provision will match the comments that you will receive during the comment period. This change will upgrade the site to more productive habitat, featuring native species, and will help adapt to sea-level rise.

The site will be open and attractive for public use, while offering opportunities for learning about the Bay's ecology, habitat, and sea-level rise.

I have a written copy I'll give to you afterwards.

This position is also well supported by public policy. If we look at the State Lands Commission Strategic Plan, one of the requirements: Prioritize the use of sovereign lands where appropriate for open space: wetlands; riparian habitat; habitat preservation, restoration, and enhancement.

So adding this provision will be directly in support of a strategic objective of the Commission.

It's also consistent with the plans of
Burlingame. Envision Burlingame establishes policies and strategies that will, quote, where feasible, restore natural features of vegetative covers, streams, marshes and Bay Area, which have been disturbed. And of course virtually all the historic tidal wetlands in Burlingame are gone. There are some that have grown up since outside of that. So it's consistent with that.

Furthermore, the EIR for the Burlingame general plan update says, quote, impacts on riparian habitat, other sensitive habitat - so wetlands - would be considered significant if development pursuant to the 2040 general plan converts vacant lands that have a reasonable potential to support riparian habitat or other sensitive habitats or wetlands to develop a lands or other incompatible uses. In other words, taking a vacant property like this and doing other than restoring it to a sensitive habitat is an impact from the standpoint -- it's a negative impact from the standpoint of Burlingame.

So essentially all of the historic wetlands are gone. If you look where the railroad was -- and I have some sources here that I'll give you for it. If you look at 1800s maps, the wetlands went out to where the railroad is. It skirted. So there's about 500 acres of tidal wetlands that one's protected - Burlingame. And that is essentially gone. There's a little bit left at the mouth
of Mills Creek. There is a new marsh that has grown up where Sanchez Creek now empties into what was Bay at the time.

So this would be one more step moving in the right direction for restoring habitat and preparing for sea-level rise. So I urge that one change to the RFP, and I hope you'll consider it.

    Thank you very much.

CHAIRPERSON YEE: Thank you, Mr. Johnson.

Yes, we'll take that.

MS. SINGLETON: Good morning, Commission.

CHAIRPERSON YEE: Good morning.

MS. SINGLETON: I'm Barb Singleton. I'm with CALA, the Community Advocates Leadership Academy. I just wanted to reiterate a couple points.

    Please prioritize a hundred percent open space proposals during your RFP process. And also the community meeting that happened back in March, 98 percent of the people did want open space. I think that with all the buildings, people need to get out for a walk, exercise, enjoy the habitat and everything that the open space has to offer.

    Thank you very much.

CHAIRPERSON YEE: Thank you, Ms. Singleton.

MR. LARENAS: Good morning.
CHAIRPERSON YEE: Good morning.

MR. LARENAS: I'm Edmundo Larenas. I'm here representing the San Mateo County Chapter of the Surfrider Foundation and also I'm a board member of Committee for Green Foothills, so I'll be speaking for them as well.

So, first of all, thank you to all of you who were at the needs assessment in Burlingame. That was a -- it was great to see you there. We very much appreciate you asking the public as well what they want for this parcel. And I have to say that it's -- it's too late for balanced development in Burlingame. But you have an opportunity here to move the bar just a little bit further towards balancing it towards open space.

I'm here to ask you to prioritize this parcel 100 percent open space, not 10 percent, not 50 percent, but a hundred percent. This is the last remaining parcel in Burlingame that's not developed. It's surrounded by hotels and warehouses, and the public very much needs access to open-space lands. The population in the Bay Area is continuing to increase and it's increasing pressure for public access to open space.

So thank you.

CHAIRPERSON YEE: Thank you very much, Mr. Larenas.

MS. BRENNAN: Hi. I'm Sabrina Brennan. I'm a
harbor commissioner in San Mateo County. I'm speaking today as an individual, and I'm also a San Mateo County resident. I have been elected county-wide twice.

I feel like I have a pretty good sense of what is on the minds of the residents of San Mateo County. And what I hear consistently across the board is that people in San Mateo County would like to be better connected to the Bay.

One of the things that's so wonderful about our county is that we are almost surrounded by water. We have the bay side and then we have the coast side. We're incredibly lucky.

However, there are many communities in San Mateo County that have less access to the Bay than they should; and that's because of the way development has evolved over the years. This is a tremendous opportunity to provide waterfront recreational access to the community, not just to Burlingame but to the entire county and to the entire Bay Area.

It's rare that we have an opportunity like this. And what I hear from people county-wide is that they want more access for human-powered vessels, they want launch locations, they want areas where they can ride their bikes, they can walk. All types of passive active rec would be available if we had this open space.
Also, we desperately need locations where the public can be better educated about water quality. This could provide a point for that. Also, we need education about sea-level rise planning and wetland restoration. And if this particular site was turned into open space, there would be a lot of people visiting and it would be a great place where they could learn about these things. It could be essentially a prototype for future projects around the Bay.

We know sea-level rise is coming. There's no way that we can prevent it at this point. And we need to start preparing for it. And this is a great place to do it.

So I hope that providing this opportunity to the public to enjoy open space will be considered seriously.

Thank you.

CHAIRPERSON YEE: Thank you, Ms. Brennan.

Are there any other members of the public who wish to address the Commission on this item?

I just need to ask, is there any representative from the city of Burlingame in the audience?

Okay. Great. Thank you. Thank you for being here.

All right. Ms. Lucchesi, I have a couple questions. I wanted to see if you had any comment with
To the comment about prioritizing particular uses in the RFP process. That is -- that is definitely within the Commission's discretion and in its authorization today.

From staff's perspective, our goal was to try to -- is to recommend a process that would throw out the largest net possible to be able to bring in varying proposals, that range from open-space passive recreational uses, inclu -- and all the way including commercial and visitor serving uses that are consistent with the Public Trust.

There are a lot of financial and economic needs associated with this parcel particularly with the protective structure that protects the upland area from the San Francisco Bay. And so, again, wanting to be as thorough and comprehensive as possible in terms of the ideas that may come forward, we didn't -- staff's perspective was not to prioritize one use or another but to allow the stakeholders and the market to be able to be creative in bringing proposals to the Commission for your consideration.

But that was the approach that staff was recommending.
CHAIRPERSON YEE:  Sure. Okay.

And I was -- so you're comment just now probably covers the response back to Mr. Johnson's testimony about wanting to prioritize restoration of native habitat, including intertidal and transition zones. So okay.

I do think there's one consideration that I would like to look at proposing an additional requirement in the RFP. And this is not -- I'm not kind of predisposed to an outcome. I would like to see a full process in terms of considering any and all proposals. But I am -- I was appreciative of the staff raising the issue about the risk that labor disruptions could cause with respect to visitors serving hospitality-based uses. And I think with respect to that, I'm compelled by the idea that we would probably likely benefit from a commitment for entering into a labor peace agreement that would be actually articulated in the RFP just because of the potential financial exposure. And so I wanted to just put forth directing staff to include a qualification in the RFP that any visitor serving hospitality-based proposal including commitment to enter into a labor peace agreement for this property before the lease is brought to this Commission for approval. We're seeing a lot of disruption in this industry. And I think our interests would be well protected if we actually articulated that in the RFP
So I'm just putting that forth, but I wanted to see if my fellow Commissioners had any thoughts about that.

Yes, Commissioner Wong-Hernandez.

ACTING COMMISSIONER WONG-HERNANDEZ: I would also support that amendment. I think -- you know, again not predisposing toward commercial interests. But in the event that that's a direction that's being considered, I mean we've seen this disruption in other places, we've spent some time, the Controller and I, on this issue. And I would be supportive as well.

CHAIRPERSON YEE: Okay. And I think the amount of revenue that we could be talking about particularly in this location could be significant. So...

ACTING COMMISSIONER VIOLA: We'd just like to ask staff how including the labor peace agreement requirement would be substantially different from the RFP that's proposed in the staff report?

EXECUTIVE OFFICER LUCCHESI: So the language in the staff report, the recommendation puts forth a requirement that they -- that any proposal that for visitors serving uses, that they describe how they would address those disruptions. And I believe what the Chair is asking for is that becomes a qualifying requirement of
the RFP. So, the official motion would be to -- if any one of the Commissioners were willing to make a motion at this time, would be to move to adopt staff's recommendation with the amendment as described by Chair Yee.

ACTING COMMISSIONER VIOLA: Thank you. And, yes, we're also supportive.

CHAIRPERSON YEE: Okay. Great. Thank you very much.

Other comments, members, from the testimony? Yes, Commissioner Wong, go ahead please.

ACTING COMMISSIONER WONG-HERNANDEZ: Thank you. I just had sort of -- I wanted to pay a compliment to staff. I spent a lot of time with the Public Trust needs assessment exhibit that you all prepared. I just wanted to appreciate the thoroughness on both the history and process, and also the thoughtfulness with which this has been approached. Not that it isn't for everything, but just especially it seems so in this case. And I support the recommendation to authorize an RFP process. I think casting a wide net makes a lot of sense. And I think that the process you've laid out is a good one.

And so when it is appropriate to move it, I would move it with the amendment suggested by the Chair.
EXECUTIVE OFFICER LUCCHESI: The only thing I would add at this point that I should have added when I was answering your first question, Chair Yee, is this is -- and I know Nick mentioned this in his presentation -- this is the very beginning of this process. And consistent with, you know, the Commission's history and its future, all the key decisions are made by the Commission at a public meeting. And even with an authorization today consistent with staff's recommendation and potentially a motion by Chair Yee, there will be additional public meetings where the Commission is acting in a discretionary manner on the future of this parcel. And so there will be a number of different check-in points for the public and stakeholders to weigh in and hold staff accountable and express their desires and their concerns directly to the Commission to help inform your decision on the future of this parcel.

CHAIRPERSON YEE: Great. Excuse me. Thank you very much.

No, I thought the public outreach process was a very great educational tool. And certainly with the different thoughts about what should happen on this property that preceded the -- those meetings, I think that was necessary.

I also want to thank the city of Burlingame. I
know this has been a long process for them. And thank
them for their patience. But I do believe that we're
going to be -- we'll have a much more, you know, robust,
thoughtful, you know, decision at the end of this.

But also to the stakeholders who really
participated throughout all of this and will continue to
participate, very much appreciate the engagement and we
look forward to more coming.

I think at this point, let me go ahead and make
the motion, since it might be a little bit complicated
just for the record, and that is on this particular item
to move the staff recommendation with the additional
direction to staff to include a qualification in the RFP
that any visitor serving hospitality-based proposal
include a commitment to enter into a labor peace agreement
for this property before the lease is brought to this
Commission for approval.

Is there a second?

ACTING COMMISSIONER WONG-HERNANDEZ: I'll second.

CHAIRPERSON YEE: Seconded by Commissioner
Wong-Hernandez.

Without objection.

All right. That motion carries.

Thank you very much.

Thank you, everyone, for your testimony.
All right. Our next item is Item 86. And this is the MOU regarding State Lands Commission from the Tahoe Regional Planning Agency.

And we'll have the staff presentation.

Good morning.

STAFF ATTORNEY CRUNK: Good morning, Commissioners. My name is Warren Crunk. I'm a Commission staff attorney.

Item C86 presents for your consideration two separate memoranda of understanding with the Tahoe regional Planning Agency, or TRPA. As background, the Commission has more than 700 leases at Lake Tahoe, making it the highest concentration of recreational structure leases in the State. However, the Commission's interest really goes beyond its lessees at Lake Tahoe.

Each year approximately three million people visit Lake Tahoe. So effective stewardship of this important Public Trust resource and promotion of public access at Lake Tahoe really is at the core of the Commission's mission statement.

So in furtherance of these ideals the Commission staff participated in TRPA's renewed effort to update their 1987 shore zone ordinances as members of the steering committee and the joint fact-finding committee. The two MOUs being presented today represent the
product of extensive collaboration not only with TRPA but also with stakeholder groups and the Attorney General's office.

So the first MOU relates to the Commission's review of Public Trust impacts at Lake Tahoe, and allows the Commission to require projects to provide lateral public access. With incoming project applications that require a TRPA permit, they must first be reviewed by the Commission. If the project impacts State land below the low water or the Public Trust easement between the low and high water lines, the applicant must include a public access design feature. And for most piers this would mean passage under the pier for open piling design or a stairway to allow the lateral access up and over the pier.

Through the process, TRPA has agreed to provide applicants with various exemptions that will facilitate this, such as allowing the applicant to build the pier two feet higher to give better headroom under the pier or not count the visible mass of stairs against the applicants where it's required for lateral access.

The MOU also provides for unusual circumstances where one of those two methods won't work. It provides a consultation process between TRPA, the applicant, and the Commission to work out another way to provide meaningful public access.
So really for me one of the key ideas with this is that it allows the Commission to review incoming projects that are restricted to the easement area, which is something we haven't had a great ability to do before, so it is a great step forward.

So this MOU really will increase the Commission's ability to ensure that projects at Lake Tahoe will provide for meaningful public access. And it also by specifying the order in which the agency's review projects will provide greater certainty of process for the applicants as well.

So just one further important note. That full or partial reconstructions of the existing piers do not actually fall under this MOU. However, staff have worked with TRPA, and they've agreed to include within their codes a similar process for consultation with State Lands Commission to ensure that there are access features with those reconstructions.

The second MOU addresses unauthorized buoys at Lake Tahoe. So the recent buoy count kind of highlighted the fact that there are quite a few unauthorized buoys in the lake. And once TRPA resumes active permitting and enforcement at the lake, many of these are going to be addressed. And through the process TRPA's going to provide highly visible tags which will be placed on the
buoys. And also TRPA and the Commission will work to share GIS information on the location of permitted buoys, helping to kind of identify those.

Through this, the unauthorized buoys are going to be much more apparent.

If these unauthorized buoys aren't voluntarily removed, both TRPA and the Commission have the ability to impose fines on the buoys' owners. However, it's not always clear who's responsible for putting a particular buoy into the lake; and that's where this MOU becomes important.

So the Commission has authority under Public Resources Code 6302.1 to remove abandoned vessels and, more importantly, hear their moorings. So the proposed MOU allows the Commission to work under this authority along with TRPA, who will have more presence actually at the lake as well as the ability to fund the removals through their buoy permitting program.

The process really just follows the statute. So when there's a buoy that's suspected to be unauthorized, both the Commission and TRPA will work to verify whether or not it is. And if not, the Commission will issue a notice which will be placed on the buoy. And once the required notice period has passed, then TRPA will remove the buoy and impound it.
The proposed MOU will provide a new tool to protect State Land from unauthorized structures and prevent those unauthorized buoys from interfering with the public's use of Lake Tahoe.

Staff recommends the Commission authorize the two memoranda of understanding as set forth in the staff report for Item C86.

I'm available for any questions.

CHAIRPERSON YEE: Thank you very much.

Questions, members?

EXECUTIVE OFFICER LUCCHESI: I just have a couple things to add, if I may, Chair Yee.

CHAIRPERSON YEE: Yes.

EXECUTIVE OFFICER LUCCHESI: Unfortunately I got notice this morning that TRPA's General Counsel, John Marshall, was -- had fallen ill and could make it down to our Commission meeting today. But they -- between John and Joanne Marchetta, the Executive Director of TRPA, wanted me to read into the record that TRPA staff is in full support of the approach and the content and -- encapsulated in both the MOUs.

They also wanted me to ensure that I read into the record that the Regional Plan Implementation Committee of the TRPA Governing Board and TRPA's Advisory Planning Commission have unanimously recommended approval of both
MOUs -- or, excuse me -- of both MOUs, and Joanne fully anticipates the governing board will follow through with the adoption of the entire shoreline plan package including the MOU next week.

We don't have any public comment slips in for this item, which I'm pleasantly surprised about considering this is about development at Lake Tahoe.

However, I think that's also a testament to the now over two years of hard work that not only your staff here at the Commission but also the other steering committee members have put into developing a shoreline plan package that attempts to address all the different varying interests at the lake.

And so with that, I turn it back over to the Chair.

CHAIRPERSON YEE: Great. Thank you very much, Jennifer, and really appreciate the ongoing process with the work that the staff has done to get us to this point.

Hearing no other comments from Commissioners, is there a motion to approve the MOUs?

ACTING COMMISSIONER WONG-HERNANDEZ: Move approval of the MOUs.

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

ACTING COMMISSIONER VIOLA: Second.
CHAIRPERSON YEE: Seconded by Commissioner Viola. Without objection. That motion carries. Thank you very much. Great work. Okay. Our next item's Item Number 87. And this will be a presentation. And let me introduce proudly our Sea Grant Fellow for the Sierra, Flower Moye, who will be making the presentation. And she has been really just bringing a lot of enthusiasm to this initiative.

So welcome.

MS. MOYE: Thank you. Thank you for allowing me this opportunity to talk about such an interesting topic. I'll say that.

(Thereupon an overhead presentation was Presented as follows.)

MS. MOYE: We are asking you today to adopt a resolution acknowledging the importance of advancing a vision for California's blue economy.

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MS. MOYE: California's ocean economy is traditionally defined by activities such as tourism; recreation; fishing; and maritime industries, like shipping and offshore gas and oil.

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MS. MOYE: NOAA's report on the ocean economy of
the U.S. found that California's ocean economy totaled $44.8 billion, employed over 524,000 people, and generated $21.6 billion in wages.

Since 2005 our ocean economy grew by 6.4 percent in gross domestic product, surpassing the overall growth of 4.4 percent for the State.

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MS. MOYE: With 1,100 miles of diverse and iconic Pacific coast, it is no surprise that growth is largely attributed to tourism and recreation.

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MS. MOYE: However, this incredible productivity takes place in a small area along the coast that represents only 22 percent of California's land mass but houses approximately 70 percent of the State's residents, an area that is already seeing impacts of sea-level rise, increased tidal inundation and flooding, and loss of natural habitats like wetlands and beaches due to our changing climate.

Challenges in the ocean and coastal space pose different management problems than on land. As you can see from this photo, the ocean is less transparent than air and has a much larger mass than land. Marine species can travel longer distances than land animals. Nutrients and pollutants can be retained for decades in the water,
then returned by ocean circulation.

The ocean does not have clearly delineated boundaries, which can pose unique challenges to conservation and sustainable development.

This is why a vision to guide our decision-making is important. And in that sense, these management challenges and climate change issues are also opportunities if we expand our traditional definitions of the ocean economy to include emerging activities and uses such as education and scientific research.

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MS. MOYE: Not just to provide policymakers and landowners with the best available science and data, but also to educate the next generation of scientists and decision makers.

Other expansive activities and uses include marine renewable energies, marine aquaculture and biotechnologies, and the management of ocean-scale protected areas.

California has the most ambitious marine management plan in the nation, with significant social and financial investments behind it. This safeguards ecosystems and economic activities that rely on a healthy ocean, which of course contributes to making California the fifth largest economy in the nation.
What is not simply pictured here are the effective and creative partnerships required to balance resource, health, and use. Truly, the blue economy can be thought of as an organizing principle, which has a strong link to the Public Trust Doctrine.

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MS. MOYE: I adopted this figure from the OECD's report on the ocean economy. And what I'd like you to take away from this is that immediate input of marine and coastal ecosystems produce increased knowledge and subsequent protection of those systems, and that the blue economy captures market and non-market assets and values of the ocean and coast, acknowledging the need for both in the equation.

This organizing principle, combined with the unique jurisdiction of this Commission, can guide the collective partnerships between academia, conservation, industry and policy, to secure healthy ocean and coastal ecosystems, while promoting economic growth, social inclusion, and the preservation and improvement of livelihoods.

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MS. MOYE: I'd like to highlight the San Diego area, which is currently host to several unique blue economy efforts and partnerships. You heard from Dr.
Margaret Leinen, the director of Scripps Institution of Oceanography, at the August Commission meeting. And you may recall she described that the blue economy is not just the industrial part and the direct revenue generation of the ocean, but it is also the assurance of quality and avoiding the loss of our natural resources.

One of the many things Scripps monitors are changing oceanographic conditions, and they have collaborative partnerships with some of the Maritime Alliance's member industries. To test new blue technology is to help increase the capacity and collection of sound data.

The Maritime Alliance had quoted in San Diego is the largest blue tech sector organization in the nation. They not only provide pathways for small and medium industries to lift up their innovative blue technologies, but also hold education and workforce development as a high priority.

They align resources and curriculums with grades K through 14 in the Blue Stem program, and create pathways for trade school and college graduates to easily connect with industries and jobs.

The Port of San Diego launched a blue economy incubator and dedicated $5,000,000 over the next five years to support entrepreneurship, foster sustainable
aquaculture, and help drive blue tech innovations.

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MS. MOYE: The Port is also partnering with the State Lands Commission in the San Diego ocean planning partnership. This project aims to present the public, resource managers, and decision makers with the best available information about the regional ocean space and develop an early engagement framework that will aid in proactive management and conflicts resolution to balance the multiple Public Trust uses of the area.

This robust and comprehensive information will be important to consider in advancing the blue economy as well as all other Public Trust uses and activities.

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MS. MOYE: But what does a resolution for the blue economy look like for the State Lands Commission? As we advise and work with grantees in coastal communities, especially in regards to integrating sea-level rise science to maximize coastal resiliency, we will continue to emphasize how important public access, publicly managed critical infrastructure, and natural habitats are to supporting long-term and high-value investments. We'll work with our partners of the local, State, federal, community, and tribal nations to promote the inclusive blue economy vision throughout the State.
We will continue to value those effective and creative partnerships, policies, and programs that spur innovations and emerging technologies, opening new pathways for economic prosperity to improve efficiencies, reduce environmental impacts, revitalize working waterfronts, enhance the marine and coastal environments, and maximize public benefits.

The Commission's adoption of the resolution advancing a vision for California's coastal future has already set the foundation of the blue economy. It highlights our commitment to secure the long-term health and resilience of California's ocean and coastal resources. And because of this, it will help foster social well-being and economic prosperity of California communities, provide opportunities for the workforce of tomorrow, and enhance Public Trust lands and resources for current and future generations.

Thank you very much for your consideration of this important resolution.

CHAIRPERSON YEE: Thank you, Flower, very much for the presentation.

Comments, Commissioners?

Yes, please.

ACTING COMMISSIONER VIOLA: I'd like to thank Flower for bringing this to the Commission. Too often
ocean issues are framed as conservation versus industry. And this blue economy lens kind of shifts that into a conversation of one of collaboration. And I'm really appreciative of that emphasis being brought to the Commission's decision-making.

The coast and ocean are a huge asset of the State of California. And I think it's this Commission's responsibility to ensure the responsible use and enjoyment of this asset, and this resolution will just really help guide that.

So thank you.

CHAIRPERSON YEE: Thank you very much. Great comment.

And thank you.

The resolution is before us, and I think if there's anything to stress it's the idea that we don't work alone here at the State Lands Commission. This is really going to be a broad engagement and hopefully a shared vision across all agencies, and certainly already as we've engaged some of the stakeholders in these conversations. So thank you for broadening the lens for us as we look at adopting this resolution.

And let me -- just a question. Once this resolution is adopted here, what are the next steps, I guess?
EXECUTIVE OFFICER LUCCHESI: Do you want me to answer -- would you like me?

MS. MOYE: You can.

EXECUTIVE OFFICER LUCCHESI: Okay. I didn't want to just jump in. I'm sorry.

Our next step is to distribute this resolution to not only our sister agencies and our local grantees, but also start to have discussions with our colleagues in the legislature, and continue to embrace and enhance our strategic partnerships, using this as a tool to do that.

CHAIRPERSON YEE: Great. I was just going to mention the legislature because I think oftentimes when issues are being addressed short-term, they might not have the frame of the larger vision. And so I would hope there could be some investment engagement with key legislators about this.

EXECUTIVE OFFICER LUCCHESI: And if I may just add as well, I -- in about a little less than a year or so, the middle of next year, we're planning to start in earnest an update, a new five-year strategic plan. And so this resolution and the work the Commission is doing under the Commissioner -- Commission's leadership will be very critical to informing how that strategic plan is developed with our stakeholders.

CHAIRPERSON YEE: That's terrific. Great. Thank
you.

Thank you, Flower, very much.

So we have the resolution before us, Commissioners. What is the will?

ACTING COMMISSIONER WONG-HERNANDEZ: Move adoption of the resolution.

CHAIRPERSON YEE: Okay. I have a motion by Commissioner Wong-Hernandez to adopt the resolution.

ACTING COMMISSIONER VIOLA: Second.

CHAIRPERSON YEE: Second by Commissioner Viola.

Without objection.

That will be the order.

Thank you very much.

Okay. Now moving on to Item 88. This is an informational item about the Commission's Environmental Justice Policy.

We'll have the presentation.

EXECUTIVE OFFICER LUCCHESI: I am very sorry. We did have a public comment speaker on the last item.

Mr. Ron Powell from the Port of San Diego.

CHAIRPERSON YEE: Oh, I'm sorry. I apologize.

EXECUTIVE OFFICER LUCCHESI: Fortunately he was -- he is in support of the resolution. But I am -- if we --

CHAIRPERSON YEE: Thank you. I apologize for
And I see you're up for this next item too.

So --

MR. POWELL: Yes. That's okay. This is one of those rare kumbaya moments in government where at least we're on the same page on this.

Good morning, Chair Yee and Commissioners and staff and fellow Californians. My name is Ron Powell and I'm here on behalf of the Port of San Diego.

The Port of San Diego supports the resolution acknowledging the importance of advancing a vision for California's blue economy. The Port has long championed traditional blue jobs in commercial fishing, ship building, and ship repair as well as cruise and cargo commerce.

Beginning in 2017 the Port created a blue tech incubator as a launching pad for blue industry startups in San Diego Bay.

The incubator now has six pilot companies in either planning or operational stages under port funding, including an oyster nursery, an in-water drive-in boat wash, and an on-water trash collection vessel.

Recently the Port approved a seaweed aquaculture pilot program. Seaweed can be used for human and animal food production, biofuels, cosmetics, medicines and other
uses.

The Port of San Diego also collaborates with regional partners to advance blue tech jobs and innovation. Now we are happy to see two of our partners, Scripps Institute of Oceanography and the Maritime Alliance, cited for their work in the State Lands resolution.

To further demonstrate the Port's support for the blue economy, the organization is a visionary sponsor for Blue Tech Week, which is November 5th through the 9th in San Diego. The event brings together blue tech companies and researchers from around the globe.

Next year the Port will be a partner in Oceanology International, a global British-led conference that was last held in San Diego in 2017.

And, finally, the Port has entered two cutting-edge agreements in blue tech this year. One is the first ever MOU between a port and the U.S. Navy to jointly plan to address sea-level rise.

The second is an agreement between the Port and the Naval Undersea Warfare Center Division in Washington State that would allow blue tech startups to test their products in an underwater Navy lab and to leverage Navy technology.

For these reasons and more the Port of San Diego
heartily endorses the resolution -- it was already passed --

(Laughter.)

MR. POWELL: -- that will promote job creation and ecological health in the waters of our State.

Thank you very much.

CHAIRPERSON YEE: Thank you, Mr. Powell, very much, and really want to applaud the Port's leadership on all of these initiatives and the partnership with the State Lands Commission.

Okay. Now we will proceed to Item 88 on the State Lands Commission's Environmental Justice Policy, and we'll have the staff presentation.

Good morning.

MS. NEWMAN: Good morning, Commissioners, staff and the public. My name is Abby Newman and I'm a Sea Grant Fellow at the State Lands Commission and an Environmental Justice team member.

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MS. NEWMAN: The Commission's Environmental Justice, or EJ, team envisions a future where all Californians have access to and enjoy the benefits of public lands and natural resources and where EJ communities are no longer disproportionately impacted by pollution and environmental hazards. The purpose of our
EJ policy is to advance this vision.

With help from our external EJ working groups, staff and local community members, the EJ team compiled a list of 12 policy objectives which are listed on this slide. These objectives are not prescriptive but rather lay the foundation for our implementation plan. This will be a document that accompanies the policy and leverage as a mechanism to hold the Commission accountable. We intend for this implementation plan to be developed next year.

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MS. NEWMAN: Since last January 1 I started my fellowship. The EJ team created a listserv of EJ or organizations and interested community members. We continue to add to this list after each outreach session and currently have a total of 214 contacts.

We've also created an EJ web page and a dedicated email address. We have so far held two brown-bag lunches to educate Commission staff on our efforts to overhaul the EJ policy.

Our Commission has also partnered with the Coastal Commission, the Bay Conservation and Development Commission, and most recently East Yard Communities for Environmental Justice to convene meaningful community outreach.

These outreach sessions are critical to informing
our policies, broadening staff awareness, and building trust in local communities.

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MS. NEWMAN: The Commission is also participating in the 2018 Governmental Alliance on Race and Equity, or GARE, a cohort in Sacramento, where we are learning how to advance racial equity in government, a key aspect of the EJ. Our GARE team is in a process of developing a racial equity action plan that will inform internal policies and practices, with the overall objective of having a more diverse workforce.

The link posted on this slide provides more background on GARE.

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MS. NEWMAN: Early on staff recognized that drafting an effective policy required connecting with EJ communities, identifying priority concerns, and seeking opportunities to advance equitable decision-making. We have so far held four roundtables with over 250 attendees. The last roundtable before bringing our final policy to the Commission is scheduled on October 29th. This is a tribal-nations-only event and will be held in our Sacramento office from 11 to 3.

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MS. NEWMAN: Here's a timeline of our policy and
outreach efforts from 2016 to 2019.

In 2016, Lieutenant Governor Gavin Newsom, who was serving as the Commission Chair, directed staff to craft a new EJ policy. The existing policy was adopted in 2002 with general principles and guidelines, but lacked a way for Commission staff to implement EJ into their daily work. Pursuant to the Lieutenant Governor's request, staff set up an internal team representing different divisions within the Commission. The team was divided into three subgroups: outreach, policy development, and implementation.

The team received $50,000 provided by the Lieutenant Governor to support outreach efforts and participation in GARE.

In 2017, the internal EJ team held listening sessions in Fresno and Los Angeles, attended EJ workshops and interagency meetings, conducted targeted outreach, and attended a training hosted by CalEPA and CalRecycle.

Earlier this year a group of eight EJ organizations were brought together to advise the Commission's internal EJ team, which was facilitated by the State Controller. At the June meeting the group presented their policy recommendations and priorities for integrating EJ into key commission programs.

Since May our EJ team has produced two draft
policies, conducted extensive outreach, collaborated with sister agencies and EJ groups, led internal staff trainings, and presented at Commission meetings.

Looking ahead in 2019 our goals are to develop an implementation plan, create a dedicated EJ liaison position, and continue to conduct statewide outreach.

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MS. NEWMAN: Since our last August update the EJ team convened a roundtable in Long Beach with 100 attendees. We co-hosts this event East Yard Communities for Environmental Justice. Attendees suggested several important Commission considerations, some of which included setting up an equity fund for job training, conservation and community projects; prioritizing EJ at Commission meetings; increasing Commission visibility and bolstering its social media presence; spending quality time in EJ communities for Commissioners and staff alike; considering public health and leasing decision-making, including an EJ analysis in staff reports; prioritizing tribal consultation in honoring tribal lands; and ensuring accountability.

I would like to make a quick shoutout to Taylor Thomas at East Yards and her talented team who helped make this outreach event a huge success. This was our first roundtable where we've presented with a local EJ
organization, and I sincerely hope it won't be our last.

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MS. NEWMAN: Staff is now carefully reflecting on the feedback received during community outreach and determining what feedback is most appropriate for the policy or for the implementation plan. We are organizing written comments into a document which we plan to make available to the public.

With the incorporated feedback, staff will produce a third draft by early to mid November. The final draft will be presented at the December Commission meeting and we invite the public to attend.

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MS. NEWMAN: Our team has drafted some initial ideas for how we intend to attract accountability. These include creating a dedicated EJ liaison, who will serve as the first point person -- who will serve as the point of contact for EJ groups and tribal nations in addition to our tribal liaison, regularly updating the Commissioners on our EJ outreach and implementation efforts, incorporating the implementation plan into our strategic plan, providing continuous educational training for staff to ensure that we are fully incorporating EJ and social equity considerations into our everyday work, reviewing staff reports on an annual basis to assess how many
applications included at the EJ analysis, and hosting outreach sessions with EJ organizations and tribal nations to assess implementation efforts.

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MS. NEWMAN: Serving as a fellow at the Commission and working as an EJ team member is one of my proudest accomplishments. This role has equipped me with the necessary skills to pursue a career at Earthjustice. While I will be leaving the Commission at the end of the month, the opportunities and lessons learned over the past nine months have made a lasting and profound impact. A reoccurring theme voice at each of our roundtables was for staff to push the boundaries in terms of what the Commission can do to champion environmental justice. I believe the Commission is up for the challenge, that the EJ policy has put us on notice, and EJ communities and tribal nations are looking to us to bring their concerns and interests to the decision-making table.

Thank you for the opportunity to speak with you today.

CHAIRPERSON YEE: Thank you very much, Abby, for the great work and for the presentation.

Comments, members?

Yes, please, Commission Viola.

ACTING COMMISSIONER VIOLA: The Lieutenant
Governor's office is really grateful for all the thorough and extensive work that staff has done over the last year and a half to bring this together. And I'm especially impressed with the efforts to educate staff to make sure that our internal processes are consistently respectful of this EJ policy. And those accountability measures that you brought up are also a huge improvement over the 2002 policy to ensure that this doesn't just sit on a shelf, and make sure that this is an effective long-lasting step in the right direction and hopefully an opportunity for our agency to lead.

So thank you very much.

MS. NEWMAN: Thank you.

CHAIRPERSON YEE: Thank you very much, commissioner.

And I'm looking forward to actually having a policy particularly ahead of -- already thinking about our next strategic plan of how we incorporate the great work into our future going forward with the Commission.

Thank you very much.

MS. NEWMAN: Thank you.

CHAIRPERSON YEE: All right. Member, our next -- oh, I'm sorry. I have speakers on this.

Let me call Sean Drake and Jennifer Savage up.

And Mr. Ron Powell.
MR. DRAKE: Good morning, Commissioners. My name is Sean Drake. I'm a staff member in the Transportation Division of the California Coastal Commission and a member of our Government Alliance on Race and Equity team.

On behalf of the Coastal Commission, I'd like to convey our appreciation and support for your agency's efforts to address environmental justice in a comprehensive systematic approach.

As you know, the Coastal Commission and the State Lands Commission have much in common, including a shared mission to ensure public access to California's coastline and to protect the State's ocean, coastal, and Public Trust resources,

Our shared goals are enhanced by your agency's representation on the Coastal Commission at our monthly meetings, which has facilitated high-level coordination on numerous pressing social and environmental issues.

Recently the Coastal Commission and the State Lands Commission have undertaken parallel efforts to develop environmental justice policies for both of our agencies. And while the structure of our respective policies may differ, our common goal is to ensure that the concerns of marginalized communities are systematically factored into our decision-making procedures, so that the process and the outcomes of our public lands management
are more equitable.

Over the past year, our respective environmental justice team members have been in regular contact with one another, sharing ideas, trainings, roundtables, and other resources. In this work, Coastal Commission staff has been consistently impressed with the thoughtful approach and dedication of State Lands staff to its policy development.

Our agencies are also working together as part of the 2018 Government Alliance on Race and Equity cohort here in Sacramento, where we are learning how to advance racial equity across all levels of government, a key part in environmental justice.

Due to the extensive public outreach efforts to affected communities by both our agencies, the State Lands Commission's draft Environmental Justice Policy identifies priority concerns for marginalized communities that are similar to those reflected in the Coastal Commission's draft policy. These include meaningful community outreach and public engagement, more accessible meetings, honoring tribal concerns, public access, accountability, and climate resiliency, just to name a few.

Ensuring that all Californians regardless of race, gender, socioeconomic status or geography can share equally in the enjoyment of coastal resources depends on
promoting both healthy communities and a clean environment. On behalf of the staff of the Coastal Commission, I'd like to commend the State Lands Commission and its staff for its work to develop a robust Environmental Justice Policy and for the significant and extensive community outreach that is the basis of the draft policy.

We look forward to continuing to work with this Commission to finalize and implement our respective programs.

Thank you.

CHAIRPERSON YEE: Thank you, Mr. Drake, for coming forward.

Jennifer.


We at Surfrider Foundation recognize that environmental justice is a critical part of ensuring effective environmental protections. And just as I was waiting to make comment I noticed in my email that the California Environmental Justice Alliance just released their sixth annual environmental justice scorecard for the 2018 legislative session. It's the only one in the State that assesses how well California's doing as far as addressing environmental issues. So that would be an
interesting thing to check out. It's at CalEJA.org.

We commend your staff for their work on updating the Commission's EJ policy, in particular effectively reaching out to communities throughout the State to convene roundtables and otherwise connect with disadvantaged and marginalized communities.

In fact, your draft policy has been held up in conversations with our partners as an example of what a comprehensive environmental justice policy should look like. We especially appreciate the inclusion of specific actions and a timeline for implementing them.

As an organization dedicated to beach access for all and which encourages civic engagement to further that goal, we were particularly interested in what staff characterized as the subtle impediments to public access that foster unequal access, such as a security presence, language barriers, inconvenient meeting times and locations. In many ways those impediments echo the list of intangible barriers that keep many of the same communities from being able to adequately exercise their right to visit California's beaches.

We continually see opportunities to expand our own access program to better reflect and meet these challenges. You as an agency serving the public have an even greater responsibility to weave specific means to
equity ends within your plans and policies.

We support the recommendations of the working group as outlined in the staff report, and would emphasize that not only is it important to acknowledge the ancestral homelands of California's Native American tribes, especially those currently landless, but to proactively seek opportunities to learn from tribal representatives how your decision-making impacts their lands, cultural history and present-day practices.

Much of the success of an environmental justice policy relies on the commitment to the principles and practices outlined within it. We believe the Commission's draft EJ Policy is indeed bold and robust, and look forward to the final draft policy and implementation outlined presentation in December.

Thank you.

CHAIRPERSON YEE: Thanks, Jennifer.

Mr. Powell.

MR. POWELL: Good morning again. Again I'm still Ron Powell --

(Laughter.)

MR. POWELL: -- and I'm here on behalf of the Port of San Diego.

I want to begin by thanking the Commission and its staff for making environmental justice a front-burner
issue for our State.

I also want to thank the staff for its work in providing outreach on this important topic around the State and for holding roundtables like the one I attended this month in Long Beach. It was well attended. The discussion was robust. People are passionate about this issue.

The roundtables allow the people of California to help define environmental justice for policy purposes through the lens of conditions in their own communities.

The Port of San Diego embraces environmental justice for one simple reason: We want to be a good neighbor in the communities where we conduct our cargo, cruise businesses, and other endeavors.

Our immediate neighbors in San Diego are the environment justice communities of Barrio Logan and National City.

The Port is working on several clean air projects in our San Diego cargo terminal adjacent to historic Barrio Logan, and we have already installed shore power for the ships of our anchored tenant Dole Fresh Fruit Company.

That's important because Dole imports more than 2 billion bananas a year through our 10th Avenue marine terminal for distribution throughout the West Coast.
including British Columbia.

Without shore power these diesel-powered ships to bring in bananas, pineapple and other goods would keep their engines idling at birth and pollute the air that Barrio Logan residents breathe.

The Port is also concerned about air pollution levels at San Ysidro and the rest of our border region, which has some of the heaviest car and truck traffic in the nation.

We are also concerned about environmental resources and environmental issues at our port member city, Imperial Beach, namely, the unchecked sewage flows from Mexico.

The Port is part of a federal lawsuit that demands solutions to the border sewage issue, joining the city of Imperial Beach and the city of Chula Vista in that legal action.

The Port of San Diego also partners with the environmental group Wildcoast and the Environmental Health Coalition on environmental justice issues in our region.

The Port agrees with the State Lands Commission that the State's tribal nations be a major part of any Environmental Justice Policy. San Diego County is home to 19 federally recognized tribes, and we are well aware of their struggles in the environmental realm.
Environmental justice is so important to the Port of San Diego that Port staff at a November 1st meeting that's upcoming will urge our Board of Port Commissioners to make it an element of our port master plan update. That update will provide policies and goals for the Port's development over the next 50 years.

In closing, the Port of San Diego supports the work of the Commission and the Commission's staff to adopt an Environmental Justice Policy. We look forward to partnering with the Commission as the policy progresses and we share the view that no Californian should be disadvantaged, no Californian should be subjected to pollution.

Thank you very much.

CHAIRPERSON YEE: Thank you very much, Mr. Powell.

Okay. Very well.

I think we are ready to move on to our next item, Item 89.

EXECUTIVE OFFICER LUCCHESI: Chair Yee?

CHAIRPERSON YEE: Oh, yes, I'm sorry.

EXECUTIVE OFFICER LUCCHESI: May I interrupt --

CHAIRPERSON YEE: Please.

EXECUTIVE OFFICER LUCCHESI: -- just a second.

I wanted to take this opportunity to thank our
Sea Grant Fellow Abby Newman. This is her last meeting. And as she mentioned in her presentation, she will be moving on to a very prestigious position at Earthjustice at the end of the month.

This is always a very difficult time for us at the Commission, when we have to say goodbye to our Sea Grant Fellows. They, and Abby in particular, came on and just became part of our team so naturally and really hit the ground running in a way that benefited the Commission and our staff and our work from the get-go.

And I think through her presentation on the Environmental Justice Policy update you saw that she was really a critical member -- is a critical member of our environmental justice team as well as working on our efforts to review sea-level rise assessments coming in under AB 691, working on training staff as well as being a significant member of our GARE cohort here in Sacramento that you've heard a couple times already today.

We are -- it's a huge loss for the Commission and for our team. But we are even -- we're equally, and probably even more so once we get over our selfishness, so proud of her for moving on to the position at Earthjustice. And it really says a lot about who she is as a person and her work ethic and commitment to not only bringing high quality scientific importance to
decision-making and to her work but also now with the
emphasis on environmental justice and racial equity. She
is a powerhouse, and Earthjustice is super lucky to get
her, and we look forward to continuing to work with her in
her new role.

So I just wanted to thank her and let her know
how grateful we are and also wish her the best of luck in
her future adventures.

(Applause.)

CHAIRPERSON YEE: Thank you very much, Jennifer.
And all best wishes to Abby. Thank you.
All right, Commissioners. Item 89 now before us.
This relates to the ocean planning partnership between the
State Lands Commission and the Port of San Diego.
We'll have the staff presentation.

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Good
morning, Commissioners -- or afternoon. I'm not sure
where we are.

CHAIRPERSON YEE: Yes, we have just crossed that
point.

STAFF ENVIRONMENTAL SCIENTIST FARNUM: And I'll
be joined by some other folks as well on this
presentation.

So, hello, Chair Yee and Commissioners. I'm
Maren foreign and I'm the deputy project manager from the

(Thereupon an overhead presentation was Presented as follows.)

STAFF ENVIRONMENTAL SCIENTIST FARNUM: We are excited to present an update for you today on the partnership, its draft Preliminary Assessment Report, and offer a preview of our forthcoming Web Mapping Application.

I'm joined today by my colleague at the Commission, Chris Packer, who leads our data team for this pilot project; and two of our Port colleagues, Lesley Nishihara, the Director of Planning at the Port of San Diego, and Lily Tsukayama, also from the planning department of the Port of San Diego.

We'll start by giving a brief update on our draft Preliminary Assessment Report, then an overview of the pilot project itself, including our public engagement. We'll then describe in a bit greater detail the development process and features of our Web Mapping Application.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: Here we go.

So our preliminary findings from public
engagement so far are summarized into the draft Preliminary Assessment Report, which is currently available for feedback on the San Diego Ocean Planning Partnership's website, sdoceanplanning.org.

You may also see in the appendix the list of stakeholders that were contacted and contributed to the assessment.

We had a great open house last week hosted by the Port of San Diego at their administration building, where we able to engage with stakeholders and community members and had lots of valuable individual conversations that provided further feedback and input that will address and integrate into the final Preliminary Assessment Report that we'll bring to you in December.

The majority of our joint team staffed the open house, and we were also joined by Commissioner Merrifield from Port's Board of Port Commissioners, as well as our own Executive Officer, Ms. Jennifer Lucchesi.

The draft Preliminary Assessment Report was released a few weeks ago, and it is currently available on the partnership's website. And we'd encourage those who haven't had a chance yet to review it to do so and provide us comments.

There's also a survey form there on the website where folks can answer the same list of initial
stakeholder questions that we've asked everyone so far. And I'll now hand it over to Lesley Nishihara from the Port of San Diego.

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PORT OF SAN DIEGO PLANNING DIRECTOR NISHIHARA:

Thank you, Maren. And good morning, Commissioners.

The pilot project is centered on understanding the Public Trust uses within the offshore space off San Diego County. Both the Commission and the Port are entrusted to manage and balance Public Trust uses, which include commerce, navigation, fisheries, recreation, and environmental stewardship on State tidelands and submerged lands for the people of the State of California.

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PORT OF SAN DIEGO PLANNING DIRECTOR NISHIHARA:

Given there is such a widespread diversity of coastal and ocean uses in the ocean space offshore San Diego, which are within the State Lands Commission's jurisdiction, and within San Diego Bay under both the Commission's and the Port's jurisdictions, we consistently coordinate and collaborate to ensure that we manage through the lens of the Public Trust. We have organized our stakeholder and public outreach around these various Public Trust uses, as well as our data collection efforts.
This means that we have sought to connect and hold one-on-one meetings with individuals and groups that represent these uses, as well as collect as much spatially referenced data as possible across all five Public Trust use areas to ensure we are taking a comprehensive approach that equally represents this multitude of perspectives and use types.

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PORT OF SAN DIEGO PLANNING DIRECTOR NISHIHARA:

For the San Diego Ocean Planning Partnership we are also introducing the concept of collaborative stewardship. This concept recognizes that while the jurisdictions of the Commission and Port are separate and adjacent, the coast and ocean are dynamic in interrelated environments that require a coordinated approach to management. It is also the concept that supports collaboration between both agencies to be stewards of the Public Trust so that we may work together to balance the use of State tidelands and submerged lands in a way -- in ways that benefit the environment and the community.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: I'll just take you back in time a little bit. In October of 2016, the Port and Commission entered into a Memorandum of Agreement, or MOA, to formalize the San Diego Ocean
Planning Partnership. This is the first time the Commission has partnered with a local trustee in a collaborative effort of this scale. As we learn together, we are strengthening our relationship through better communication and understanding of our shared Public Trust missions.

The intent of this partnership is to gain an understanding of and establish a process to enhance management opportunities to balance the different ocean uses for the State-owned tidelands and submerged lands located in the Pacific Ocean offshore of San Diego County.

As partners, we are committed to transparent and robust public engagement, reducing the potential for conflict amongst Public Trust uses, and consider ways to effectively and responsibly inform decision-making.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: Before we dive into the data collection and Web Mapping Application, I'll briefly go over our public engagement effort.

We have modeled the public engagement after the Port's award-winning integrated planning outreach approach for the Port Master Plan update. And we think this approach is really beneficial for a couple of reasons. It provides an opportunity for all interested stakeholders to provide input, and it also gives the partnership a form to
check whether we are on the right track. This feedback will help us to create a comprehensive picture as to how this ocean space is being used.

To differentiate public engagement is a two-part: The first is the focused stakeholder engagement which primarily involves small groups or individual stakeholder discussions, where we ask them about their specific uses, interests and challenges within the ocean space.

By the way, those are the questions that are online that folks can answer through the Google form.

These meetings are done one-on-one so that the partners may build trusting relationships with stakeholders, and invite candid conversations that provide really useful information to advance our understanding of how this ocean space is used, challenges that stakeholders face, and the real benefits they'd like to see from this pilot project. Over the course of these focused stakeholder meetings so far the Commission and the Port have met with over 100 stakeholders and ocean users, which include San Diego County coastal cities, environmental and community nonprofits, academia, commercial and recreational fishermen, and local, State and federal agencies including the U.S. Navy.

We are also still working to connect with some
stakeholders that we have not had the opportunity to meet with yet. And we plan on continuing our efforts to connect one-on-one to gain initial stakeholder input as well as reconnect with some of our current stakeholders throughout the next month.

A small team of us here at the Commission will be reaching out to connect with State agencies and groups here in Sacramento, as well as traveling to San Diego in November for some more meetings with local stakeholders and tribes.

The second type is the broader public engagement where we can reach an expanded audience. Again, last week we had an open house for the public in San Diego at the Port's administration building where we introduced the pilot to community members and demonstrated the Web Mapping Application.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: So, for our data collection, the goal of the data collection effort was to collect reliable and publicly available spatial data sets and compile them into a web mapping application. Through this application these data, such as habitat locations and recreational spots, can be visualized into an interconnect -- interactive online map to reflect the dynamic and interconnected relationship...
between human uses and the ocean space.

We researched and reviewed many publicly available data from numerous sources, and we were also directed to additional data sets from stakeholders through the public engagement efforts.

These data were compiled into the Web Mapping Application, which will be public facing upon its release, and serve as an informational and interactive tool to visualize these data in one place at one time.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: These data sets are categorized by Public Trust uses. Examples of data that fall under these Public Trust categories include navigational aids and rec -- and obstruction locations for the navigational portion. Alternative and renewable energy potential, and oil and gas infrastructure locations for commerce. The location of fishing piers and jetties and fishing vessel density for fisheries, scuba-dive sites and boat launch sites for recreation as well as public access points and how to get to those public access points, and canopy-forming kelp in national wetland inventory, amongst many others for environmental stewardship.

Chris Packer will now take you through the Web Mapping Application itself.
GIS DIVISION RESEARCH ANALYST III PACKER: Thank you, Maren.

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GIS DIVISION RESEARCH ANALYST III PACKER: The intent of developing the Web Mapping Application is to make coastal and marine-related information available to everyone. The ability to visualize multiple layers of data at one time could also help inform management decisions, such as the Commission's process for considering lease applications in the ocean space. While we are still developing and refining aspects of the Web Mapping Application, I'll walk you through some of the various functions that it will provide.

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GIS DIVISION RESEARCH ANALYST III PACKER: So when we first enter the Web Mapping Application, a disclaimer will appear. This is to emphasize that data in the application was collected from publicly available sources, and does not belong the San Diego Ocean Planning Partnership. Before accessing the application, users will review and okay the disclaimer before moving on. It will also remain static across the bottom of the application as it's being used.

So this is a screen shot of the Web Mapping Application. To orient you, we are looking at San Diego
County to the right. The area highlighted in orange is
the preliminary planning boundaries, which includes State
waters and submerged lands under the Commission's
jurisdiction. This boundary extends from the mean high
tideland out to the three nautical miles offshore.

As we compile data sets, we generally clip them
so that the data points primarily appeared within this
boundary. However, we also included a buffer, so you'll
notices that some points follow outside of the boundary
into San Diego Bay and on land adjacent to the ocean.
These data points are intended to help the user visualize
public access points, mobility options and associated
Public Trust uses that may interact or affect other uses
in the ocean space.

To the right of the screen, there's a legend
which shows the layers currently displayed on the Web
Mapping Application and their unique symbology. For
instance, the preliminary planning boundary is outlined in
orange. State Lands lease sites are shown with green
circles, and dive sites are depicted by blue squares. We
currently have a variety of data layers that can also be
displayed, ranging from scientific measurements of the
oceanographic conditions, to vessel density, to sensitive
habitat and dive sites.

Users of the Web Mapping Application may select
and display data layers individually or together, search geographic locations in data layers, generate reports on data and geographic locations, and explore various other functions to assist in better understanding the dynamic ocean environment.

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GIS DIVISION RESEARCH ANALYST III PACKER: At the top right of the application, there will be a tool bar, which provides a suite of options for users to decide which widgets or functions they'd like to use with the data. When we release the application, we will also include a user guide that will provide instructions on how to use these different tools and widgets.

At the top left of the screen, we'll have the Public Trust icons. As mentioned earlier, we want to emphasize the importance of the Public Trust to our work. Users will be able to click on these icons to see which data sets are organized under the five Public Trust uses.

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GIS DIVISION RESEARCH ANALYST III PACKER: So the screen shots are great, but I'm going to walk you through the application right here. Right here, I'm searching for Imperial Beach. When you go into the application and type that location in, it will zoom right to the location.

Right here, I'm going to demonstrate the
screening widget. I'm selecting a draw tool that will allow me to select an area of interest. I've done that next to Imperial Beach there. But I also want adjacent areas, so I'm typing in a half-mile buffer that won't include those areas nearby.

And here you can see relevant layers that are showing up which I want to look at.

This is a coastal access location from the Coastal Commission. I've selected Imperial Beach here. And you can see that I can actually click on a link that will show me that location.

Now, if I wanted to look at this data later and analyze it, I have the option of then printing a report. So here's that report again. You can see the area of interest that I drew using the screening widget and a summary of data sets that are within that area.

We understand that this is quite a bit of information to digest. When we release the tool on the website, the user guide will be a helpful tool for navigating the Web Mapping application.

And now I'll hand the presentation over to Lily Tsukayama from the Port of San Diego who will walk you through our timeline.

MS. TSUKAYAMA: Thank you, Chris, and thank you for taking the lead on developing this great application.
MS. TSUKAYAMA: So when will the application be ready to be used? For the remainder of the year, we'll continue to develop and refine the Web Mapping Application and also do some demos with focus groups to gather some initial feedback on how it can be further improved and more user friendly.

We'll respond to this feedback and update the application as best as we can, and anticipate a full public release of the Web Mapping Application on our website next year. Commission and Port staff have been working diligently to develop and prepare the Web Mapping Application.

As with any application, there are a few important things to consider with its use. It is a compilation of publicly available data sets, which will need to be reviewed regularly for updates. In addition, as new data become available, we will need to regularly update the Web Mapping Application to incorporate these new data.

Further, we have been coordinating closely with the U.S. Navy to ensure that their operations can be reflected accurately in the Web Mapping Application.

As with many ocean uses, while the Navy has an extensive presence in the ocean space, there are still a
variety of uses that are compatible and can occur simultaneously in the same area.

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MS. TSUKAYAMA: So to bring this all together, here is an anticipating timeline for the partnership efforts. Here we are in October 2018, as represented by that solid purple line, kind of just half -- right two-thirds of that timeline slide.

And as Chris just covered, data collection and development of the Web Mapping Application are highlighted in orange at the bottom of the screen.

Together, data collection and stakeholder input inform the development of the preliminary assessment report. And as discussed earlier, we are currently seeking comments.

Public engagement has also been occurring simultaneously with stakeholder input and data collection. This not only includes the open house we held last week, but also the various State Lands Commission and Board of Port Commissioners meetings we presented at. These include an update on initial outreach this past March, presenting early learnings and observations from stakeholder input in June, and an update on the draft Preliminary Assessment Report currently available on the partnership's website for comments and feedback.
We held an open house last week to provide an additional opportunity for stakeholders and the public to get more information on the San Diego Ocean Planning Partnership and to receive additional comments and feedback on the draft Preliminary Assessment Report.

Over the next month, we will proactively reach out to previously identified and newly identified stakeholders and tribal representatives to ensure these important voices are heard. We will incorporate feedback received from all sources and finalize the Preliminary Assessment Report at the end of 2018.

There it is.

This is where these final dotted arrows come into place. At the very least, for next steps we expect that we will continue data collection, stakeholder and tribal input, and public engagement to hold the process to be informed by the best available science and data, and to be stakeholder driven.

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Okay. That concludes our presentation. And we're all available for questions if you have any. And thank you so much for your time.

CHAIRPERSON YEE: Thank you for the great presentation.

Let me -- we have one public speaker on this
items. But let's hear from the speaker and then from the
Commission.

 John Hansen, if you'll come forward.
Mr. HANSEN: Good afternoon, Commissioners. My name is
John Hansen. I'm the coordinator of a group, West Coast
Ocean Alliance. It's a group previously up until a couple
months ago was the West Coast Regional Planning Body is a
little back on that group. It was an entity that was
established under an executive order from the previous
Administration under President Obama back in 2010, focused
on ocean policy for the U.S. Through that executive order
there were regions established for the U.S., and we have
one here on the West Coast. And then 2013 we established
a regional planning body group to discuss ocean planning
and coordination amongst the three West Coast states,
along with Federal agencies and federally recognized
tribal governments on the West Coast. And the State Lands
Commission is one of our two reps for the State of
California, the other being the Ocean Protection Council
in the Resources Agency.

 We've really benefited from the engagement from
State Lands, and especially on the work happening here in
San Diego. We are now rebooting effectively due to a new
executive order from the current administration in the
White House that effectively disbanded the regional
planning body structure. But we're very encouraged because we have strong continued commitment from our federal partners, along with the three West Coast states, including State Lands, and our federal -- or excuse me -- our federally recognized tribal governments to continue a strong regional coordination and communication form around ocean issues.

Our group is focused on transparent decision-making, sustainable and compatible ocean uses, strong comprehensive coastal and ocean data, and recognition and respect of tribal responsibilities in terms of management and science. So really themes that are echoed by the work happening in San Diego, which has really been something we've been encouraged to hear about.

Our group really tries to learn from what's happening in San Diego. Maren, Jim Maddox, and State Lands staff has been really a great partner in being on our calls providing updates to our larger regional group. And so we've really tried to pass along the information and the lessons learned from this project out to our larger partnership, as well as sharing lessons from other partners in Oregon and Washington, through tribal governments that have done similar things in various iterations to pass along whatever they can so that this local effort can potentially learn from that.
So overall we just wanted to voice our support for this work. We really do get excited to hear about this continued progression of the effort, tools like the one you just heard about, the use of data, stakeholder engagement.

And so we on the regional scale for the West Coast look forward to continuing our link to State Lands Commission and the Port of San Diego and the work happening there, and applaud this work and the development of the tool and other efforts happening there.

Thanks.

CHAIRPERSON YEE: Thank you, Mr. Hansen, very much.

I'm really just pleased with the progress of this, and kind of an idea hatched two years ago in terms of this joint effort. But first I have to thank the Port of San Diego for just being such a great partner in this and really devoting the resources and the time to help us get to this point. Really appreciate the preview of the Web Mapping Applications. And if there's anything that I think is probably a necessary step forward and that is to maybe just spread our arms a little wider with respect to kind of an interested party, and that is to probably begin to bring this into the halls of the legislature so there's no mystery about what we're trying to do here.
I still think there's a bit of misunderstanding with respect to what the goal of all this is, but I think it's exciting that we're just trying to get our hands on the best data, to get the hands on all of the stakeholders, to just really be able to have science-guided informed decision-making. And it's -- and we've got the tools and the talent to do it.

And I think there's still some thoughts about -- well, I'll just say -- what this is not doing. I mean we are not promoting development, you know, of any kind through this effort. This is not looking at doing any kind of permit streamlining or just kind of getting around any existing process, but really just better informed. And I think if I could, I'd just ask the staff to think about particularly with our Senate President Pro Tem representing the Port of San Diego to begin to engage the Senate leadership and the Assembly leadership on this. And maybe this could be even helpful to them. So...

EXECUTIVE OFFICER LUCCHESI: Certainly. We are on it.


And because I just don't want there to be -- and there's just been such positive momentum, and I would hate to have a misunderstanding to start to kind of cast any kind of aspersions on this that it's not meant to be doing
what I think we're all clear about and what it's intended to do. So...

Comments from Commissioners on this?

Okay. Seeing none.

Thank you for the update, and we look forward to the months to come. Thank you.

Okay. We now are moving on to I believe Item 90. And we have a staff presentation. This relates to the Tuolumne River, on removal of the Dennett Dam, Stanislaus County.

(Thereupon an overhead presentation was Presented as follows.)

ASSISTANT EXECUTIVE OFFICER CONNOR: Good afternoon, Chair Yee and Commissioners. My name is Colin Connor. I'm the Commission's assistant executive officer. And it's my pleasure to close out the agenda with some good news and a pretty cool PowerPoint.

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ASSISTANT EXECUTIVE OFFICER CONNOR: The good news is the removal of Dennett Dam, which is the subject of Agenda Item 90.

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ASSISTANT EXECUTIVE OFFICER CONNOR: Where is Dennett Dam? Dennett Dam is on the Tuolumne River just
south of downtown Modesto.

And here is an aerial. It's kind of dark, but I just wanted to give you the perspective that it's in kind of a built-up area.

I'm going to jump through to the next slide and kind of just get passed this because it doesn't really help.

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ASSISTANT EXECUTIVE OFFICER CONNOR: So what is Dennett Dam? Dennett Dam is what's known as a low-head dam. And as you can see from these also dark pictures, what low head means is that it's close to the water, it's made of sheet piles with a concrete topping. That dam was built originally in 1933. It was washed out in 1935, and then reconstructed in 1937. The purpose of the dam was to build a swimming area for the residents of Modesto. The swimming area is a fairly large swimming area. It's about 97 acres just to the right of the dam. So the dam slowed down the water, it created this swimming area.

So at some point in the dam's history, the center -- or the approximate center of the dam washed out. And you can see that from this aerial where that turbulence was created. The -- the -- I'm going to go back one slide if I may.

You can kind of see it. Where the turbulence is
in the water, the dam was actually pulled down but not taken out. So there is -- the dam is still in place. It's just pushed down.

So going back to one.

What the dam actually did was in -- it's never been properly maintained since the 1930s. It's gradually disinterested in condition. What it does is -- other than the turbulence that it's created, a lot of debris gets snagged on it.

And what this has done over the course of the years has led to, most recently since 2006, three fatalities. Three people have drowned there, including two and an adult.

In addition to the dam being a physical barrier and a public health and safety hazard, it also is a barrier to fish passage. Fish like Chinook salmon and steelhead historically have used the Tuolumne River to move upstream for spawning. Chinook salmon -- excuse me -- Central Valley steelhead is listed under the State and Federal Endangered Species Act, while Central Valley fall-run Chinook salmon is a species of concern.

The river historically supported the largest run of Chinook salmon in the San Joaquin Valley. Accordingly, the removal of the dam was identified as a priority in multiple fish restoration reports for the Central Valley.
The dam also impacted critical fish habitat by slowing down and pooling the water, thereby warming it. And these species of salmon and steelhead prefer cooler, faster-moving water.

So how did the removal of the dam come about? Primarily through the efforts of the Tuolumne River Trust. The trust is an environmental nonprofit organization advocating to the stewardship of the Tuolumne River from its headwaters in the Sierra Nevada through the Central Valley to the San Francisco Bay. The trust has been working towards removal of the dam since 2010 and was the lead in planning, coordinating, and fund raising for the removal effort. The total cost to remove the dam was 1.6 million, with the Commission contributing $500,000 and issuing a lease to the Trust for the actual removal activities.

Other State and local agencies involved were California Department of Fish & Wildlife, California Natural Resources Agency, Department of Water Resources, the City of Modesto. Actually the U.S. Fish and Wildlife Services also involved. And other private entities also contributed to the effort.

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ASSISTANT EXECUTIVE OFFICER CONNOR: I wish these lights were a little bit lighter.
So the removal activity started on August 1st, 2018, with construction and installation of the cofferdam upstream of the dam and a water diversion channel around the dam on the north side. You can see that activity going on here.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And then these are a little bit brighter. So you can see the cofferdam is not in place and the diversion channel is moving off to the north and around it.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And this is a -- I think this is a fascinating -- this is actually a video. I'm going to cue Billy to run this if you could. This is actually some -- I'm just going to play a little bit of this. This is the removal activities of the dam itself. The dam was, as I mentioned earlier, was constructed of sheet piles driven into the ground and topped with a concrete. So you can see it's -- it's kind of slow, and it was a slow process removing all these sheet piles. So they've got this piece of machinery just slowly pulling each of them out, like pulling teeth.

That's good, Billy. Thank you.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And this is
a picture of the -- after the dam was actually removed, the cofferdam was then removed and the diversion channel was filled in and -- let's see here what we've got. Let me go back one.

The other thing about this, on the side you can see where the -- all the activity was. Those -- those banks were hydroseeded with native species.

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ASSISTANT EXECUTIVE OFFICER CONNOR: The last two slides here show the river as it looks today. We actually had one of our staff people down there last week taking a look at it. So I'm going to go to this one.

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ASSISTANT EXECUTIVE OFFICER CONNOR: Then I'm going to go to this one, which is also a video. So, Billy, if you can cue that up as well.

So the removal of the dam eliminates ongoing liability to the State, improves fish habitat, and also enhances recreational opportunities within the lower Tuolumne River Parkway, which is a 500-acre park extending for seven miles along the river in the Modesto area.

The Tuolumne River Trust is commemorating the removal of Dennett Dam with the celebration today in Modesto. Grace Kato, the Assistant Chief of the Commission's Land Management Division, who was also
instrumental in obtaining the Commission's share of the
funding and coordinating with the Trust is attending the
celebration and will be presenting the Trust with a letter
of appreciation from the commission for its efforts in
removing the dam. And I just found out yesterday that
Grace also gets to go on a raft trip while she's there.

(Laughter.)

ASSISTANT EXECUTIVE OFFICER CONNOR: So lucky
her.

And that really concludes my presentation. Here
to answer any questions if you have them.

CHAIRPERSON YEE: Okay. Thank you very much,
Colin.

Comments, commissioners?

Well, I think a prideful moment.

ASSISTANT EXECUTIVE OFFICER CONNOR: Very much
so. Thank you.

CHAIRPERSON YEE: Thank you.

Great. Thank you.

Let's see. I think -- are we on to public
comments?

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON YEE: Thank you very much. Okay.

Thank you to members of the public who have
signed up to speak for your patience. I will call you up
one at a time. You'll have three minutes to address the Board.

First is Mr. Frank Coats.

Mr. Coats.

Followed by Howard Graves and Julie Baller.

Good afternoon.

MR. COATS: I'm having a hard time with a cold. So I'll work at this.

About a year -- boy, I hope we can do this.

About a year ago, this Commission had directed staff to look into providing the public with a listing of land sold by the Commission subject to fishing rights under the California Constitution. And in June I wrote to staff asking if any progress had been made, and I essentially was told that they decided not to do it, apparently as a resource question.

I don't know how you represent that you push the interests of the public to public access if you sit on over a million acres of land that the public already has legal access to and you don't provide that listing to the public.

It was interesting to watch the San Diego presentation, you know. All we're asking is the simplest of Excel spreadsheets listing the property by baseline and township and range and section so you could just look it
up to find some place to go fishing.

Apparently every piece of land -- every piece of school and lieu lands owned by -- sold by the State since 1910 has been subject to this. It seems to be very simple to put together a list. It would be tedious but incredibly simple.

The other thing I wanted to address was that I've been cited for trespassing for walking on an easement reserved by the State, a public road easement reserved by the State in 1978 on the banks of the Sacramento River at Fremont Weir. It was reserved in '78 for 35 years. The public had no problem using this roadway to get to fishing the river and to get to the wildlife area.

In 2013, the grandchildren of the people involved in the deal put up a locked gate and no-trespassing signs. And now I've been cited and I get to deal with it.

No State agency involved in this has lifted a finger since the 2013 blockage of the road. There's absolutely no legal basis for the blocking of the road. Fish and Wildlife hasn't done anything. Central Valley hasn't done anything. Department of Water Resources hasn't done anything. Except they did lie to the public. They did tell the public that there was no reserved easement. Then an amazing surprise that somebody pointed out that, yes, indeed, there was a reserved easement.
Unfortunately, this is representative of way State agencies treat the public for river access on the inland waters.

Now --

CHAIRPERSON YEE: Mr. Coats, your time is concluded. I'm just going to ask you to sum up and I'll just --

MR. COATS: Okay. Then compared to, say, the effort at Martins Beach where it turned out you didn't already have legal access, this sort of thing is amazing, where, yes, the public has legal access but the State agencies walk away from it, leaving the public to engage in self-help.

Thank you.

CHAIRPERSON YEE: Thank you.

Jennifer, any comments on that?

EXECUTIVE OFFICER LUCCHESI: Yeah, certainly.

In regards to Mr. Coats' first concerns, it is a resource -- a staffing and resource issue. I don't necessarily disagree with him about in terms of it not being, you know, a super complex effort in terms of the challenges in understanding the information. But it is a significant effort to go through thousands of files and documents to compile the information that he's asking for. But I also appreciate how that information would be
useful. We are embarking on a number of different efforts
to make our -- the information, the documents, the data
sets that we currently have primarily in paper form and
make the -- digitize them and make them -- package them in
a way that's not just useful for staff and in our everyday
work but eventually can be made more available to the
public at a click of a button.

Unfortunately we're just at the beginning of that
stage right now, and I will continue to endeavor to find
the resources to conduct the research project that he's
asking for.

With regards to his -- the second concern about
the reserve easement, I know he was having some
conversations about this with one of our attorneys during
the meeting, and we will follow up with him to understand
the situation better. I think he's brought this to our
attention maybe in the past as well. So we will follow up
to see what the status is at this point. And if there is
anything we can do, not being one of -- it doesn't appear
like we have specific jurisdiction over this particular
parcel, but we'll look into that.

CHAIRPERSON YEE: Okay. I appreciate it.
Thank you, Mr. Coats.

MR. COATS: All the data from 1938 is on-line.

CHAIRPERSON YEE: Mr. Coats, your time has
Howard Graves, please.

MR. GRAVES: Thank you for the opportunity to speak with the Commission. My name is Howard Graves. I am here to strongly urge the Commission to exercise its eminent domain authority to purchase the Martins Beach access road to permanently open access to this exceptional piece of California coast.

My family and friends and I have been coming to this beach annually for almost 30 years, until this access was cut off in 2008 by Vinod Khosla and Associates. The recent Supreme Court decision has reopened this for limited hours. There's no public facilities there and no bathroom. It's not really a very useful open beach under these circumstances.

Briefly, the reasons to pursue this course of action by the Commission, Martins Beach is a jewel of a beach, it's -- with excellent open space for picnicking, surfing and fishing, and was previously open to all of these activities until 2008.

Secondly - and I think the Commission may not be so aware of this - this road provides the only access to an exceptionally beautiful protected cove beach on the north end of Martins Beach called Mackey's Cove. This protected cove provides a very suitable habitat for
smaller children. It does not have a big surf, but it has
surfs large enough that young surfers can learn to surf
here much more safely than in big waters. Surf --
surfing, as you now know, is the our state sport.

In my own opinion, I think Mackey's Cove would
make an excellent small State park or regional park. It's
really an extraordinary beach. The only way to get there
is from this road.

Third, Martins Beach is close by Half Moon Bay, a
rapidly growing community with over 20,000 in population
in the greater Half Moon area. Reopening this beach with
a public road would provide increased recreational
opportunities for this community that's less than 10 miles
from Martins Beach.

I'd point out to the Commission that there is
precedent in California for condemning private coastal
land for the greater public good. And I think this is
important for the record. In 1980 Santa Rosa Island off
the Santa Barbara coast became part of the Channel Islands
National Park under President Ronald Reagan. This island
was the -- was occupied by a cattle ranch that used this
85-square-mile island. The cattle ranch was condemned by
the National Park Service under President Reagan. The
owners were compensated very generously, and Santa Rosa
Island is now the largest -- the second largest island in
the Channel Island National Park, and an invaluable public
resource for California.

Finally, I would encourage the Lands Commission
to pursue public-private partnerships to help finance the
purchase of this access road and installation of
facilities appropriate for a public beach. I first
learned today of the executive -- from the executive
report by the Lands Commission that this financing effort
has started with $300 collected.

Thank you.

I'd recommend this effort be more widely
advertised and interested public entities and foundations
be solicited to support this. Perhaps even Mr. Khosla
himself might be considered.

(Laughter.)

MR. GRAVES: Thank you.

CHAIRPERSON YEE: Thank you very much, Mr. Graves.

Julie Baller.

MS. BALLER: Good afternoon, I guess.

My name's Julie Baller and I live in Albany. I'm
representing myself and also four generations of my family
who would like to return to our annual Martins Beach
picnic.

I appreciate -- in fact, I'm thrilled and
grateful to address the Land-Use Commission after the U.S. 
Supreme Court decision to leave intact the California 
Constitution's guaranteed public ownership of our beaches 
and coastal wetscape. At least they had chose not to open 
that for attack.

I now would like to ask you to implement that 
guarantee of public access in the case of Martins Beach. 
The billionaire who purchased the only access to this 
pristine gem has announced his intention of litigating 
indefinitely, with his bottomless resources, as a 
so-called matter of principle. But perhaps his reputation 
for no compromise, intransigent, actually is the point 
rather than the beach itself, which he has said he doesn't 
like and wishes he hadn't bought.

This stance is useful for extracting concessions. 
In an August 30th, 2018, article in the New York Times one 
of his business partners was quoted as saying of this 
reputation, "It's an incredible negotiating tool for me."

So it's one he has apparently every intention of 
preserving in his refusal to negotiate with the -- with 
the State for purchase of the road back to Martins Beach 
and to the cove that was so well described by Howard 
Graves.

So I urge that it is time for the State to move 
past this protracted obstruction and begin the process of
eminent domain as needed to open Martins Beach.

If and when access is restored, I beg you to preserve the pre-existing road access that we enjoyed on the beach. My mother, now 94, came annually to Martins Beach well into her 80s until it was locked up. It was a rare place, a wild picturesque beach where you could literally drive down to within a few feet of the sand. She hasn't been able to come with us to Pescadero or Montara beaches, which are on the same stretch of coast, because they require clambering down stairs or rocky paths to the sand. With the passage of eight years I fear she has permanently lost her chance -- forever lost her chance to join our beach gatherings.

If and when access is restored, we would really like there to be at least a drop-off and loading zone at the beach level so that our elders, people with disabilities or mobility limitations, young families laden with baby gear, and all of us with picnic supplies, chairs, and fishing gear can use the beach even if we have to do some shuttling to a parking area that might be higher up so as not to disturb the environment of the beach area.

One last point. And I -- in sitting here listening to the other issues that have been aired today, I'm really impressed by the breadth and depth of the
issues that face the Lands Commission and how important it
is and how this issue, which has been my focus for years,
is -- is one facet of the very large ongoing
responsibility that will outlast all of us. I want to say
the pressure of big money to buy exclusive access to
California's precious beaches and coast will never let up.

   My sign says, back there, "In every generation we
must fight for our public coast." Martins Beach is -- is
one of this moment's fights. I urge you to move now to
restore access to all Californians, if necessary, by
eminent domain. Further delay will embolden the next
beach grab and the next and the next.

   Thank you very much for your time and for all the
work that you are doing.

   CHAIRPERSON YEE: Thank you very much, Ms.
   Baller.

   Okay. Next up we have Christopher Adams,
followed by Jennifer Savage and Barb Singleton.

   MR. ADAMS: My name is Christopher Adams, and I'm
also speaking about Martins Beach and the possible need
for eminent domain.

   I know that's a very big step. I worked for the
University of California for over 30 years in planning and
land-use issues, and never once while I was there do I
know that we ever had to exercise the use of eminent
domain. We were lucky. I know it is a huge, time-consuming, and expensive process.

But during that same time period my daughter was born and every year of her life until she went away to college she went with us to Martins Beach.

Now I have a grandson. He's so young that he has never been to Martins Beach because it has been closed ever since he was -- before he was born.

Thinking about my grandson and the millions of other Californians who go to our precious coast, I hope you have the courage and the will to do whatever is necessary to restore access to that beautiful beach.

Thank you.

CHAIRPERSON YEE: Thank you very much, Mr. Adams.

Jennifer.

MS. SAVAGE: Hi. Jennifer Savage, Surfrider Foundation. As Executive Director Lucchesi pointed out after more than five years of litigation, Surfrider's legal battle over public access at Martins Beach culminated with the U.S. Supreme Court denying Vinod Khosla's petition, which means our legal victories in California stand, which frankly is a huge deal for our midsized nonprofit and one that wouldn't have been possible without our stellar legal team, and which also stands as a testimony to the power of grassroots activism.
If our San Mateo chapter hadn't called attention to this so many years ago and consistently showed up to be heard, we wouldn't have had the attention or the momentum that led to this victory.

But there's still work to be done. So we call again upon the Commission to affirm your commitment to this issue. In 2014 SB 968 passed directing staff to negotiate with Mr. Khosla in hopes of reaching an amicable solution. In 2016 you took the first steps toward eminent domain to acquire the road leading to the beach, with then Chair Lieutenant Governor Newsom promising the Commission would not back down.

This year the State included $1 million specifically for the purchase of the Martins Beach access easement and the County of San Mateo has pledged a matching amount, plus $381 in the fund for the public.

Surfrider staff volunteers and other supporters have worked tirelessly to make sure all of this happened. With all of that plus Surfrider's recent legal victory, we've cleared the symbolic path, and it's time for the State Lands Commission to take the next steps to ensure the actual one remains open for all California residents and visitors.

Surfrider's victory coincides with an increased focus on beach access conflicts all along California's
coast. Also as Executive Director Lucchesi mentioned, a 
public attention on Hollister Ranch has increased 
attention to that longstanding problem and looks for new 
solutions to it.

Similarly, efforts by a Santa Cruz community to 
essentially privatize a public beach has triggered 
blowback from both those charged with enforcing the 
Coastal Act and the public increasingly tired of being 
kept from the beaches that belong to everyone.

The State Lands Commission is charged with 
protecting the natural resources entrusted to its care and 
ensuring public access to these lands and waters for 
current and future generations. In our experience, the 
Commission and its staff uphold this mission 
wholeheartedly. We appreciate the commitment of the 
Commission to ensuring beach access for all at Martins, at 
Hollister, and all along the California coast.

On behalf of all those longing to return to 
Martins Beach, confident they can do so, we ask again for 
the Commission to continue your leadership to respond to 
the thousands of Californians who have reached out and to 
include the issue of eminent domain on a coming meeting 
agenda.

Thank you.

CHAIRPERSON YEE: Thank you, Jennifer.
MS. SINGLETON: Hi. I'm Barb Singleton. I'm a lifelong Californian and beach enthusiast. I was born and raised in Southern Cal.

Regarding Martins Beach, you know, I know the next step here is to pursue eminent domain. But I want to tell you my personal story about being at St. Martins Beach.

You know, the ocean's right there. It was a foggy day. I'm sitting on a picnic bench here.

CHAIRPERSON YEE: Can you pull the microphone just --

MS. SINGLETON: Sorry.

Okay. And one of the most awesome experiences happened, other than the beautiful surrounding, the let-me-be-in-contemplative mode and so forth. But a man and his dog walked up quietly, stood there. The man started looking out at the beach and so forth. But he gave the command to let his dog go run around. And she went crazy, going like this in the water, going around to a little lagoon area over here and paddling and swimming, like trying to really swim. And make this short.

But -- and then the man about five minutes later went -- you know, made a sound, and she immediately got out of the water and stood by his side, and they both stood there together looking out at the ocean, and then
they walked back home.

And I -- I mean when I think about that experience and how awesome and beautiful the beach was, I still talk about it with my friend to this day, and it's been 10 years, I just feel that -- I mean the public beach is so important to everyone. And hope you -- you know what to do next.

Thank you.

CHAIRPERSON YEE: Thank you.

All right. And our final set of speakers. Uriel Hernandez, Sabrina Brennan, Helen Wolter, and Mary Hufty.

MR. HERNANDEZ: Thank you all so much for this meeting and for involving the community in this process. My name is Uriel Hernandez. I'm a lifelong San Mateo County resident from East Palo Alto where I've lived my entire life, and currently serve as vice chair of the planning commission.

I regularly advocate for public green space and public access to nature because we really need to protect all of the open space that we have in the Bay Area.

I'm here to ask this Commission commits to pursuing eminent domain to acquire an easement at Martins Beach for all of the reasons that have already been brought up this afternoon. I haven't been able to go to Martins Beach since I was in high school due to the
actions and viewpoints of one individual that I've never met. But, you know, I grew up going to beaches with my family. I know the importance of beaches to people of color, to the Latino community. It's where we go to be in nature.

And, you know, it really holds a special place in our hearts. And investing in public access to open spaces, beaches and, you know, all of the nature that's around us is investing in future generations. And we must do more of that instead of focusing on short-term gains like, you know, making a quick buck building a hotel. You know, all of these shortsighted and self-serving goals are not in the public's best interests, and they really do a disservice to the environment and to the community.

One of the worst legacies that we could leave for future generations would be to allow the privatization of what really should be public space and what has functioned as public land and been a community resource for generations.

You know, we really shouldn't humor those that put the desires of a few above the needs of many. We should really listen to the community and, you know, give us back the beach, give us back Martins Beach.

Thank you.

CHAIRPERSON YEE: Thank you very much, Mr.
Hi. Sabrina Brennan, San Mateo County Harbor Commissioner, speaking as an individual and also speaking for the Committee for Equity in Women's Surfing. We support Surfrider's eight-year fight to open Martins Beach. Please restore public access at Martins Beach, and condemn the road as an easement.

Please create a Martins Beach website that allows Californians to make a financial contribution online to help fund the easement. We support coastal access for all at Martins Beach. We also support coastal access at Hollister Ranch.

Thank you.

Thank you very much, Ms. Brennan.

Helen Wolter.

Good afternoon, commissioners. I was here for an earlier agenda item. I'm back. I'm speaking for myself.

Obviously, Martins Beach has been very contentious. You know, that it went to the Supreme Court level is unprecedented. But that sets a precedent now for our Coastal Act and state strikes.

You know, as others have said today, to ensure public access for all, the idea of eminent domain is
rarely actually invoked because -- you know, because of private property rights. But I think in this case to -- you know, to ask for a public access easement does make sense. So I am speaking up in support to allow open -- you know, access to open to our beaches under our California Coastal Act.

Thank you for your consideration.

CHAIRPERSON YEE: Thank you very much.

MS. HUFTY: I'm Mary Hufty. I'm a resident of San Mateo County. And I just wanted to speak to the Commission to say thank you. This has been really heartful experience being here. And I think heart is what Martins Beach is about. Everybody sees it and they're hearts are lightened. We -- we need it as a country and as a county and as a state. And I know that you have the heart to get it right.

So my thanks for your -- a wonderful day seeing how well this Commission works together.

Thank you.

CHAIRPERSON YEE: Thank you very much. Thank you for being here.

All right. Any other members of the public wish to address the Commission?

EXECUTIVE OFFICER LUCCHESI: I have one speaker slip. Edmundo Larenas maybe.
CHAIRPERSON YEE: Yeah. He's right here.

EXECUTIVE OFFICER LUCCHESI: Oh, I'm sorry.

Okay.

MR. LARENAS: So I'm not going to repeat everything that was said. I'm Edmundo Larenas. I'm -- at the time when this all began I was chair of the San Mateo County Chapter of Surfrider. And we had no idea what we were in for. We got the public -- letters and calls from the public asking us to do something about the closure of access to Martins Beach. And it wasn't just surfers. It was beachgoers and fishermen and -- as you've heard.

So we wrote -- and you can imagine, the Bay Area has a huge coalition of environmental people. One of them gave us the idea who bought the property, because he had established two LLCs to hide his name. So we wrote a letter to this person, Vinod Khosla, and we said, "Dear Mr. Khosla..." And he had this self-imposed reputation as being a green investor and egalitarian person, so we thought, "Dear Mr. Khosla, we would love to work with you to provide access to the -- continue to provide access to the public," maybe to understand the value of this beach. And we waited and waited, and what we got was a letter from his attorney and it said, "See you in court."

So we protested. We did '60s style protests with signs saying "Open Martins Beach." And in one of those
protests a 93-year-old woman from Los Gatos, California, had her grandson come and take her to the beach to protest. And she was out there on the street with us holding a sign saying "Open Martins Beach."

So I urge you to continue this process. The public will love you for it. Whoever becomes the Chair of this Commission will have the gratitude of all Californians.

Thank you.

CHAIRPERSON YEE: Thank you very much.

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

Okay. Seeing none.

I believe we are ready to move into closed session.

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON YEE: Okay. And we're going to stay here?

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON YEE: Okay. Thank you very much for joining us today. We are now going to convene. The Commission will convene in closed session, and we will ask members of the public to please vacate the room.

(Off record: 12:59 p.m.)

(Thereupon the meeting recessed)
into closed session.)
(Thereupon the meeting reconvened open session.)
(On record: 2:12 p.m.)
CHAIRPERSON YEE: All right. The Commission will reconvene in open session.
The Commission met in closed session. And, Mr. Meier, do we have a report?
CHIEF COUNSEL MEIER: Yeah, the Commission approved distribution of a draft boundary line agreement to the lakefront owners on Donner Lake in conjunction with the proposed settlement of Nevada County Superior Court Case SOS Donner Lake versus State of California, et al.
CHAIRPERSON YEE: All right. Thank you very much.
All right. Any other business to come before the Commission?
EXECUTIVE OFFICER LUCCHESI: No.
CHAIRPERSON YEE: Seeing none, this meeting is adjourned.
Thank you very much.
(Thereupon the California State Lands Commission meeting adjourned at 2:13 p.m.)
CERTIFICATE OF REPORTER

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

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of November, 2018.

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Certified Shorthand Reporter
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