MEETING
STATE OF CALIFORNIA
LANDS COMMISSION

HOLIDAY INN SACRAMENTO DOWNTOWN - ARENA
300 J STREET
SACRAMENTO, CALIFORNIA

MONDAY, FEBRUARY 4, 2019
10:05 A.M.

JAMES F. PETERS, CSR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 10063
COMMISSION MEMBERS:
Ms. Eleni Kounalakis, Lieutenant Governor, Chairperson
Ms. Betty T. Yee, State Controller
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. Chris Scianni, Senior Environmental Scientist
Ms. Cheryl Hudson, Public Land Management Specialist
Ms. Sarah Mongano, Senior Environmental Scientist
Ms. Sheri Pemberton, Chief, External Affairs and Legislative Liaison

ATTORNEY GENERAL:
Mr. Andrew Vogel, Deputy Attorney General

ALSO PRESENT:
Mr. David Asti, Southern California Edison
Ms. Mary Bernier, Interfaith Peace Coalition
Mr. John Berge, Pacific Merchant Shipping Association
APPEARANCES CONTINUED

ALSO PRESENT:

Mr. Emilio Diaz
Mr. Dominick Gulli, Save Dad's Point
Dr. Kate Huckelbridge, California Coastal Commission
Ms. Alison Madden, San Francisco Bay Marinas For All
Mr. Dan Slanker, Redwood Creek Association
Mr. Ed Stancil
I N D E X

PAGE

I 10:00 A.M. - OPEN SESSION 1

II CONFIRMATION OF MINUTES FOR THE MEETING OF DECEMBER 3, 2018 1

III EXECUTIVE OFFICER'S REPORT 3

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

Barry Agri/Tech (Lessee): Continuation of annual rent at $189 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in Georgiana Slough, adjacent to 14260 River Road, near Walnut Grove, Sacramento County. (PRC 5349.1)

Jesse A. Berber and Elizabeth A. Berber, Trustees or any Successor Trustee of the Jesse A. Berber and Elizabeth A. Berber Family Trust Dated July 6, 2001 (Lessee): Continuation of annual rent at $653 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in Colorado River, adjacent to 1138 Beach Drive, near Needles, San Bernardino County. (PRC 9282.1)

Patrick C. Bradley and Nancy T. Immekeppel (Lessee): Continuation of annual rent at $375 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in Georgiana Slough, adjacent to 17001 Terminous Road, near Isleton, Sacramento County. (PRC 7764.1)

Russell H. Butcher and Leonore Butcher and Nicholas M. Hanna and Andrea L. Hanna (Lessee): Continuation of annual rent at $347 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in Colorado River, adjacent to 1122 Beach Drive, near Needles, San Bernardino County. (PRC 9120.1)

Chevron Products Company, a division of Chevron U.S.A., Inc. (Lessee): Continuation of annual rent at $15,795 per year for a General Lease - Right-of-Way Use located on sovereign land in San Pablo Bay,
adjacent to Point San Pablo, near Richmond, Contra Costa County. (PRC 7062.1)

Brenda P. Cooley, Trustee of the Brenda Cooley Trust dated April 10, 2013, and Successor Trustees Thereunder; William Ashley Payne; Robert Best Payne; John C. Weaver III; Dan G. Best II, Trustee of the Dan G. Best II Revocable Living Trust under Declaration of Trust dated October 7, 1993; Dan G. Best II, as Sole Trustee of the "Best Exempt Credit Trust"; and Dan G. Best II, as Sole Trustee of the "Best Survivor's Trust" (Lessee): Continuation of annual rent at $2,120 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 4940, 4950, and 4960 West Lake Boulevard, near Homewood, Placer County. (PRC 5828.1)

Freeport Marina Inc. (Lessee): Continuation of minimum annual rent at $8,700 per year for a General Lease - Commercial Use located on sovereign land in Sacramento River, adjacent to 8250 Freeport, near Freeport, Sacramento County. (PRC 4157.1)

Duane M. Hines, Trustee of the June M. Woodger Trust (Lessee): Continuation of a minimum annual rent at $9,800 per year for a General Lease - Commercial Use located on sovereign land in Mokelumne River, adjacent to 500 Brannan Island Road, near Isleton, Sacramento County. (PRC 2052.1)

Gail R. Jamar, Trustee of the Gail R. Jamar 2001 Separate Property Trust dated 7/11/01 and Nancy E. Proano and Robert J. Proano, Trustees of the Proano Family Trust, under declaration of trust dated May 2, 1996 (Lessee): Continuation of annual rent at $807 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 3061 Jameson Beach Road, near South Lake Tahoe, El Dorado County. (PRC 3881.1)

Derry L. Knight and Patricia C. Esgro (Lessee): Continuation of annual rent at $203 per year for a General Lease - Recreational Use located on sovereign land in Sacramento River, adjacent to 6535 Garden Highway, near Sacramento, Sacramento County. (PRC 8529.1)
Terry P. Miller, Trustee of the Shelter Trust under Stephen Roy Miller 1982 Trust (Lessee): Continuation of annual rent at $1,090 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 241 Drum Road, near Meeks Bay, El Dorado County. (PRC 2724.1)

North Forty Bay, LLC, a California Limited Liability Company (Lessee): Continuation of annual rent at $754 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 4784 North Lake Boulevard, near Carnelian Bay, Placer County. (PRC 8476.1)

Edward D. Pike, III, Trustee of the Pike Family Trust dated November 17, 1984 and amended and restated March 11, 1999 (Lessee): Continuation of annual rent at $1,114 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 8335 Meeks Bay Avenue, near Rubicon Bay, El Dorado County. (PRC 9277.1)

Brock R. Settlemier and Marlene B. Settlemier, Trustees of the Brock R. Settlemier and Marlene B. Settlemier Trust Under Instrument Dated December 4, 1991, Laura Settlemier McIntyre, Juliet Grace Settlemier Ivey, Brock Reid Settlemier, Jr., and Weston James Settlemier (Lessee): Continuation of annual rent at $1,553 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to 800 West Lake Boulevard, near Tahoe City, Placer County. (PRC 5843.1)

Shallow Beach Association, Inc. (Lessee): Continuation of annual rent at $628 per year for a General Lease - Recreational Use located on sovereign land in Tomales Bay, adjacent to 470-520 Pierce Point Road, near Inverness, Marin County. (PRC 9125.1)

Lucy M. Souza, Trustee of The Arthur J. And Lucy M. Souza Trust Dated December 18, 2007 (Lessee): Continuation of annual rent at $136 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in Sacramento River, adjacent to 3333 Garden Highway, near Sacramento, Sacramento County. (PRC 6671.1)
IV CONSENT CALENDAR C01-C77

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 WILLIAM S. BECKHAM AND BENITA F. BECKHAM, AS TRUSTEES OF THE BECKHAM 2008 LIVING TRUST, AND DENNIS R. UNDERWOOD AND GAIL A. UNDERWOOD, AS TRUSTEES OF THE UNDERWOOD 2008 LIVING TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6035 North Lake Boulevard, near Tahoe Vista, Placer County; for an existing pier, sundeck with stairs, boat hoist, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4360.1; RA# 04418) (A 1; S 1) (Staff: J. Toy)

C 02 THOMAS H. BREDT AND POLLY WALKER BREDT, CO-TRUSTEES OF THE BREDT 1993 LIVING TRUST (LESSEE); DANIELLE JAMES AND EDWARD KAVALERCHIK (APPLICANT): Consider termination of Lease No. PRC 3868.1, a General Lease - Recreational Use; and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8645 Beach Lane, near Tahoma, El Dorado County; for an existing pier, boathouse with boat lift, boat hoist, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 3868.1; RA# 26117) (A 5; S 1) (Staff: S. Avila)

C 03 CEDAR FLAT IMPROVEMENT ASSOCIATION, INCORPORATED (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake
INDEX CONCLUDED

Tahoe, adjacent to 4370 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier with sundeck and stairs, and 21 mooring buoys. CEQA Consideration: categorical exemption. (PRC 4173.1; RA# 04318) (A 1; S 1) (Staff: S. Avila)

C 04 CHAMBERS LANDING NO. II HOMEOWNERS ASSOCIATION (APPLICANT): Consider application for General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6400 and 6500 West Lake Boulevard, near Homewood, Placer County; for an existing pier, 46 mooring buoys, placement of two seasonal swim areas, two swim floats, two marker buoys, and one speed limit buoy. CEQA Consideration: categorical exemption. (PRC 3044.1; RA# 06418) (A 1; S 1) (Staff: M. Schroeder)

C 05 KENNETH LEE CHRISTIE AND GAIL BAIN CHRISTIE, AS TRUSTEES OF THE KENNETH LEE CHRISTIE AND GAIL BAIN CHRISTIE LIVING TRUST, DATED MAY 24, 2017; AND ROSS A. ROBINSON AND VICKI J. ROBINSON, AS TRUSTEES OF THE ROBINSON TRUST, DATED SEPTEMBER 2, 2016; (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3990 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4143.1; RA# 06618) (A 1; S 1) (Staff: M. Schroeder)

C 06 COMCAST OF CALIFORNIA/MARYLAND/PENNSYLVANIA/VIRGINIA/WEST VIRGINIA, LLC (LESSEE): Consider revision of rent to Lease No. PRC 5592.1, a General Lease - Right-of-Way Use, of sovereign land located in the Albion River, near Albion, and in the Big River, near Mendocino, Mendocino County; for existing fiber optic communication cables. CEQA Consideration: not a project. (PRC 5592.1) (A 2; S 2) (Staff: S. Evans)

C 07 JOSEPH P. FANUCCHI AND MARILYN M. FANUCCHI (APPLICANT): Consider application for General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1500 North Lake Boulevard, Tahoe City, Placer County; for one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 26766; RA# 25113) (A 1; S 1) (Staff: M. Schroeder)
C 08  JOHN S. GLETNE AND NYDIA GLETNE, TRUSTEES, U.D.T., DATED MAY 27, 1992 (ASSIGNOR); NYDIA GLETNE AND GLENDA L. GAITHER, TRUSTEES OF THE GLETNE SURVIVOR'S TRUST AS SET FORTH IN THE GLETNE FAMILY LIVING TRUST DATED MAY 27, 1992 (ASSIGNEE): Consider assignment and revision of rent of Lease No. PRC 4121.1, General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4020 North Lake Boulevard, near Tahoe City, Placer County; for an existing pier, a portion of a boat lift, boathouse, and a sundeck, railing and stairs, and two mooring buoys. CEQA Consideration: not projects. (PRC 4121.1; RA# 07818) (A 1; S 1) (Staff: J. Toy)

C 09  TERRIE HANSEN, TRUSTEE OF THE TERRIE HANSEN LIVING TRUST UAD 8/20/07 F/B/O TERRIE HANSEN, AND HER HEIRS; AND OLIVER CARLTON PHILLIPS (APPLICANT): Consider a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4527 West Lake Boulevard, near Homewood, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 5524.1; RA# 01918) (A 1; S 1) (Staff: S. Avila)

C 10  ELEANOR HEWLETT GIMON AND SALLY M. HEWLETT, TRUSTEES OF THE HEWLETT FAMILY TRUST OF JANUARY 1, 1992 (LESSEE): Consider revision of rent to Lease No. PRC 4854.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2050 West Lake Boulevard, Tahoe City, Placer County; for an existing rock crib pier, breakwater and one mooring buoy. CEQA Consideration: not a project. (PRC 4854.1) (A 1; S 1) (Staff: S. Evans)

C 11  BRYAN H. HILLSTROM, TRUSTEE OF THE BRYAN H. HILLSTROM TRUST DATED JUNE 19, 2014 AND TONY WEIR INDUSTRIES, LLC, A TEXAS LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 214 and 226 Four Ring Road, near Rubicon Bay, El Dorado County; for an existing joint-use pier and one mooring buoy. CEQA Consideration: categorical exemption. (PRC 4853.1; RA# 00715) (A 5; S 1) (Staff: M. Schroeder)
C 12 ROBERT A. HYER AND SONOMA HYER (LESSEE): Consider revision of rent to Lease No. PRC 8460.1, a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 16510 County Road 117, West Sacramento, Yolo County; for a boat dock and appurtenant facilities. CEQA Consideration: not a project. (PRC 8460.1) (A 4; S 3) (Staff: S. Evans)

C 13 JOHN I. KESSLER, TRUSTEE OF THE BURTON HANCOCK TRUST (LESSEE); TONY WEIR INDUSTRIES, LLC, A TEXAS LIMITED LIABILITY COMPANY (APPLICANT): Accept a lease quitclaim deed and consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 226 Four Ring Road, near Rubicon Bay, El Dorado County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 7451.1; RA# 39514) (A 5; S 1) (Staff: M. Schroeder)

C 14 CHARLES E. MCCARL AND SUZANNE MCCARL AS TRUSTEES OF THE CHARLES E. MCCARL AND SUZANNE MCCARL FAMILY TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3047 Jameson Beach Road, near South Lake Tahoe, El Dorado County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 7959.1; RA# 18317) (A 5; S 1) (Staff: S. Avila)

C 15 LAWRENCE MCCULLOUGH AND JAMIE MCCULLOUGH (ASSIGNOR); AMY BOGART AND HALEY BOGART (ASSIGNEE): Consider assignment of Lease No. PRC 3550.9, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4676 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: not a project. (PRC 3550.9; RA# 06218) (A 1; S 1) (Staff: J. Toy)

C 16 JOHN MURRY OWENS AND DIANE OWENS, TRUSTEES OF THE OWENS FAMILY REVOCABLE TRUST, DATED MARCH 14, 2007; DIANE OWENS, TRUSTEE OR HER SUCCESSOR IN TRUST UNDER THE OWENS IRREVOCABLE GIFTING TRUST, DATED DECEMBER 3, 2007; JOHN MURRY OWENS, TRUSTEE OR HIS SUCCESSOR IN TRUST UNDER THE OWENS FAMILY BANK TRUST, DATED DECEMBER 3, 2007 (APPLICANT): Consider application for
a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8411 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for an existing pier and one mooring buoy. CEQA Consideration: categorical exemption. (PRC 5646.1; RA# 08818) (A 5; S 1) (Staff: J. Toy)

C 17 ADOLPH A. SCHONDER AND KATHLEEN M. SCHONDER, TRUSTEES OF THE ADOLPH AND KATHLEEN SCHONDER REVOCABLE TRUST, DATED MARCH 7, 2005 (ASSIGNOR); AMJAD MUNIM (ASSIGNEE): Consider assignment of Lease No. PRC 9321.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 735 Lakeview Avenue, near South Lake Tahoe, El Dorado County; for two existing mooring buoys. CEQA Consideration: not a project. (PRC 9321.1; RA# 31517) (A 5; S 1) (Staff: M.J. Columbus)

C 18 KEITH THOMAS SCHULER AND CHELLE RENAE SCHULER, TRUSTEES OF THE SCHULER FAMILY REVOCABLE TRUST, DATED JANUARY 7, 2016; JAMES GORDON OLIVER; AND PATRICIA J. OLIVER (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6140 and 6150 West Lake Boulevard, near Homewood, Placer County; for an existing joint-use pier, boathouse, boat hoist, four mooring buoys, and sundeck with stairs. CEQA Consideration: categorical exemption. (PRC 4884.1; RA# 01618) (A 1; S 1) (Staff: J. Toy)

C 19 PAMELA A. SEROY, TRUSTEE OF THE PAMELA A. SEROY REVOCABLE TRUST DATED 11/17/99 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8642 Brockway Vista Avenue, near Kings Beach, Placer County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 27204; RA# 08018) (A 1; S 1) (Staff: J. Toy)

Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6210 West Lake Boulevard, near Homewood, Placer County; for an existing pier, boathouse with two boat lifts, sundeck with stairs, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4272.1; RA# 31017) (A 1; S 1) (Staff: S. Avila)

C 21 SHE'S SUCH A LADY, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 221 Paradise Flat Lane, near Rubicon Bay, El Dorado County; for an existing pier, boat lift, swim float, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4852.1; RA# 04818) (A 5; S 1) (Staff: J. Toy)

C 22 CHARLES G. STEPHENSON, AS TRUSTEE OF THE STEPHENSON FAMILY TRUST, DATED MAY 5, 2004; JULIE S. PACKARD; BARBARA S. PETERS; GAYLEY E. STEPHENSON; KATE S. GAITLEY; AND JOHN T. STEPHENSON (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4870 West Lake Boulevard, near Homewood, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 3724.1; RA# 00518) (A 1; S 1) (Staff: S. Avila)

Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3735 Idlewild Way, near Homewood, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4185.1; RA# 04618) (A 1; S 1) (Staff: S. Avila)

C 24 TAHOE DONNER ASSOCIATION (LESSEE): Consider revision of rent to Lease No. PRC 4909.1, a Non-Commercial Lease, of sovereign land located in Donner Lake, adjacent to 12914 and 12993 Donner Pass Road, Truckee, Nevada County; for two existing floating docks and appurtenant facilities. CEQA Consideration: not a project. (PRC 4909.1) (A 1; S 1) (Staff: S. Evans)

C 25 DAVID J. TEECE AND LEIGH G. TEECE (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 250 Four Ring Road, near Tahoma, El Dorado County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 7246.1; RA# 08418) (A 5; S 1) (Staff: J. Toy)

C 26 URBANA TAHOE TC, LLC, A DELAWARE LIMITED LIABILITY COMPANY (LESSEE/ASSIGNOR/SUBLESSOR); LCOF LAKE TAHOE INVESTMENT LLC, A DELAWARE LIMITED LIABILITY COMPANY (ASSIGNEE); ACTION MOTORSPORTS OF TAHOE, INC., A CALIFORNIA CORPORATION (SUBLESSEE); AND PFP HOLDING COMPANY, LLC, A DELAWARE LIMITED LIABILITY COMPANY (SECURED-PARTY LENDER): Consider termination of an agreement and consent to encumbrancing of lease, assignment of lease, approval of a sublease endorsement, and agreement and consent to encumbrancing of Lease No. PRC 3981.1, a General Lease - Commercial Use, of sovereign land located in Lake Tahoe, adjacent to 3411 Lake Tahoe Boulevard, near South Lake Tahoe, El Dorado County; for an existing commercial marina known as Timber Cove Lodge Marina. CEQA Consideration: not projects. (PRC 3981.1; RA# 14018) (A 5; S 1) (Staff: M.J. Columbus)
C 27 JACQUELINE D. WILDER, TRUSTEE OF THE WILDER FAMILY 1985 REVOCABLE TRUST DATED JUNE 29, 1985 (LESSEE): Consider revision of rent to Lease No. PRC 6608.1, a General Lease - Recreational Use, of sovereign land located in the Napa River, adjacent to 1632 Milton Road, Napa, Napa County; for an existing boat dock and appurtenant facilities. CEQA Consideration: not a project. (PRC 6608.1) (A 4; S 3) (Staff: S. Evans)

BAY/DELTA REGION

C 28 BEL WEST, L.P. (LESSEE): Consider revision of rent to Lease No. PRC 4898.1, a General Lease - Recreational Use, of sovereign land located in the Corte Madera Creek, adjacent to 975 South Eliseo Drive, Greenbrae, Marin County; for an existing boat dock and appurtenant facilities. CEQA Consideration: not a project. (PRC 4898.1) (A 10; S 2) (Staff: S. Evans)

C 29 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 adjacent to San Francisco Bay, Burlingame, San Mateo County; for a restaurant, parking lot, lagoon, footbridge, pedestrian path, landscaping, and shoreline protection. CEQA Consideration: not a project. (PRC 4687.1) (A 22; S 13) (Staff: A. Franzoia)

C 30 BURLINGAME POINT, LLC (LESSEE): Consider amendment to Lease No. PRC 9084.1, a General Lease - Recreational, Protective Structure and Right-of-Way Use, of sovereign land adjacent to San Francisco Bay, Burlingame, San Mateo County, to extend the time for project completion. CEQA Consideration: categorical exemption. (PRC 9084.1; RA# 10718) (A 22; S 13) (Staff: A. Franzoia)

C 31 CALIFIA LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 7631.1, a General Lease - Commercial Use, of sovereign land located in the San Joaquin River, adjacent to 73 West Stewart Road, Lathrop, San Joaquin County; for an existing commercial marina, known as
Mossdale Marina. CEQA Consideration: not a project. (PRC 7631.1) (A 12; S 5) (Staff: S. Evans)

C 32 CHEVRON U.S.A., INC. (LESSEE): Consider adoption of a Mitigated Negative Declaration, State Clearinghouse No. 2018122022, adoption of a Mitigation Monitoring Program, and consider amendment to Lease No. PRC 3277.1, a General Lease - Right-of-Way Use, of sovereign land in Honker Bay, Solano and Contra Costa Counties; Roaring River Slough, Montezuma Slough, and Grizzly Slough, Solano County; and the Sacramento River, Yolo and Sacramento Counties; to install a petroleum pipeline and abandon-in-place the existing pipeline under Montezuma Slough between Grizzly Island Road to Birds Landing Road, near Suisun City. (PRC 3277.1; RA# 11418) (A 11; S 3) (Staff: M. Schroeder)

C 33 CITY OF PALO ALTO (LESSEE): Consider amendment of Lease No. PRC 9143.9, a General Lease - Public Agency Use, of sovereign land near the Palo Alto Airport, Palo Alto, Santa Clara County; to authorize existing pipelines and allow for the construction of a new outfall pipeline associated with a wastewater treatment plant. CEQA Consideration: Mitigated Negative Declaration, adopted by the City of Palo Alto, State Clearinghouse No. 2017122060, and adoption of a Mitigation Monitoring Program. (PRC 9143.9; RA# 29817) (A 24; S 13) (Staff: D. Tutov)

C 34 CITY OF SAN MATEO (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the San Francisco Bay, adjacent to the San Mateo Bridge, San Mateo County; for an existing outfall pipeline. CEQA Consideration: categorical exemption. (PRC 3947.9; RA# 17216) (A 22; S 13) (Staff: J. Holt)

C 35 CITY OF SUISUN CITY (APPLICANT): Consider application for a General Lease - Dredging to dredge material from sovereign land located in Suisun Slough, Solano County; disposal of dredged material at the designated upland disposal site at the Pierce Island Levee Rehabilitation Project. CEQA Consideration: categorical exemption. (PRC 7757.9; RA# 08918) (A 11; S 3) (Staff: A. Franzoia)
C 36 TED AND NICOLA CONSTANTINE (LESSEE): Consider revision of rent to Lease No. PRC 5933.1, a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 3777 Garden Highway, near Sacramento, Sacramento County; for an existing covered boat dock, debris diverter, and appurtenant facilities. CEQA Consideration: not a project. (PRC 5933.1) (A 7; S 6) (Staff: S. Evans)

C 37 CONTRA COSTA WATER DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in Pacheco Creek, near Martinez, Contra Costa County; for an existing buried non-operational water pipeline. CEQA Consideration: categorical exemption. (PRC 3371.1; RA# 31416) (A 14; S 7) (Staff: J. Holt)

C 38 PAULA FAVA CORCORAN (LESSEE): Consider revision of rent to Lease No. PRC 3710.1, a General Lease - Recreational Use, of sovereign land located in the Petaluma River, adjacent to 5 Hillside Terrace, near Novato, Marin County; for an existing boathouse and pier. CEQA Consideration: not a project. (PRC 3710.1) (A 10; S 2) (Staff: S. Evans)

C 39 GEORGE W. CORVALLIS, JR. AND JOETTA K. CORVALLIS (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 200 Miner Court, near Isleton, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 5615.1; RA# 29317) (A 11; S 3) (Staff: J. Holt)

C 40 LUCERO DORADO (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Tomales Bay, adjacent to 19225 Highway 1, Marin County; for an existing mooring buoy not previously authorized by the Commission. CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (W 27195; RA# 16215) (A 10; S 2) (Staff: D. Tutov)
C 41 GREENBRAE IMPROVEMENT CLUB INC. (LESSEE):
Consider revision of rent to Lease No. PRC 9119.1, a
General Lease - Recreational Use, of sovereign land
located in the Corte Madera Creek, adjacent to 2170
Redwood Highway, Greenbrae, Marin County; for an
existing boat dock and appurtenant facilities. CEQA
Consideration: not a project. (PRC 9119.1) (A 10; S 2)
(Staff: S. Evans)

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 San Joaquin River, adjacent to 23455 Hays Road,
near Manteca, San Joaquin County; for an existing
access road with a deck and culvert. CEQA
Consideration: not a project. (PRC 2511.1) (A 12; S 5)
(Staff: S. Evans)

C 43 JOHN LONGEVAL LEWALLEN AND DIANA M. LEWALLEN,
TRUSTEES OF THE JOHN AND DIANA LEWALLEN TRUST
(LESSEE): Consider revision of rent to Lease No. PRC
6036.1, a General Lease - Recreational Use, of
sovereign land located in the Sacramento River,
adjacent to 13800 River Road, Walnut Grove, Sacramento
County; for an existing boat dock and appurtenant
facilities. CEQA Consideration: not a project. (PRC
6036.1) (A 11; S 3) (Staff: S. Evans)

C 44 VICKI A. PFINGST, AS TRUSTEE OF THE VICKI A.
(APPLICANT): Consider application for a General Lease
- Recreational and Protective Structure Use, of
sovereign land located in the Sacramento River,
adjacent to 2521 Garden Highway, near Sacramento,
Sacramento County; for an existing boat dock,
appurtenant facilities, and bank protection. CEQA
Consideration: categorical exemption. (PRC 4939.1; RA#
32017) (A 7; S 6) (Staff: J. Holt)

C 45 PINE CREEK OWNERS ASSOCIATION, INC. (APPLICANT):
Consider application for a General Lease -
Recreational and Protective Structure Use, of
sovereign land located in Corte Madera Creek, adjacent
to 755-775 South Eliseo Drive, near Greenbrae, Marin
County; for an existing boat dock, appurtenant
facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 4523.1; RA# 07718) (A 10; S 2) (Staff: J. Holt)

C 46 STEVEN SCHULE (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 6029 Garden Highway, near Sacramento, Sacramento County; for an existing covered boat dock with slip and appurtenant facilities. CEQA Consideration: categorical exemption. (PRC 8799.1; RA# 09418) (A 7; S 6) (Staff: J. Holt)

C 47 TAMARA N. ST CLAIRE AND RICHARD W. GEVEN (ASSIGNOR); TERRIE GORDON GAMBLE, TRUSTEE OF THE TERRIE GORDON GAMBLE TRUST DATED 05/15/2015 (ASSIGNEE): Consider assignment of Lease No. PRC 8785.1, a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 7027 Garden Highway, near Sacramento, Sacramento County; for an existing covered boat dock, appurtenant facilities, and bank protection. CEQA Consideration: not a project. (PRC 8785.1; RA# 33017) (A 7; S 6) (Staff: G. Asimakopoulos)

C 48 SANTA CLARA VALLEY WATER DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in Artesian Slough and New Chicago Marsh near Alviso, Santa Clara County; for a coastal levee project known as the South San Francisco Bay Shoreline Project. CEQA Consideration: Environmental Impact Report/Statement, certified by the Santa Clara Valley Water District, State Clearinghouse No. 2006012020, and adoption of a Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (W 27193; RA# 35317) (A 25; S 10) (Staff: D. Tutov)

C 49 STANISLAUS COUNTY (LESSEE): Consider amendment of Lease No. PRC 2961.9, a General Lease - Public Agency Use, of sovereign land in the Tuolumne River, adjacent to Assessor's Parcel Numbers 080-041-005, 080-035-009, 080-009-001, and 080-011-001, near Waterford, Stanislaus County; for the construction, use, and maintenance of a new bridge known as the Hickman Road Bridge, use of a temporary construction easement; and
the removal of the existing Hickman Road Bridge; CEQA Consideration: Mitigated Negative Declaration, adopted by the Stanislaus County Department of Public Works, State Clearinghouse No. 2017102063, and adoption of a Mitigation Monitoring Program. (PRC 2961.9; RA# 00818) (A 12; S 8) (Staff: D. Tutov)

C 50 STARBIRD MARICULTURE INC. (APPLICANT): Consider application for a General Lease - Commercial Use, of sovereign land located in Tomales Bay, adjacent to 19225 Highway 1, near Marshall, Marin County; for an existing mooring buoy not previously authorized by the Commission. CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (W 27194; RA# 29115) (A 10; S 2) (Staff: D. Tutov)

C 51 TODD STEVENOT AND ANNE CATHARINE SANDBACH (APPLICANT): Consider application for General Lease - Residential and Recreational Use, of sovereign land located in the Petaluma River, adjacent to 118 Beattie Avenue, near Novato, Marin County; for an existing walkway and pier previously authorized by the Commission, and an existing platform, deck, and portion of residence not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 3870.1; RA# 35417) (A 10; S 2) (Staff: J. Holt)

C 52 STANLEY J. STEWART AND PAMELA O. STEWART, AS TRUSTEES OF THE STEWART 2006 LIVING TRUST DATED APRIL 10, 2006 (APPLICANT): Consider an application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 3077 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, 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 6883.1; RA# 34517) (A 7; S 6) (Staff: G. Asimakopoulos)

C 53 STOCKON MARINA PROPERTIES, LLC (LESSEE): Consider revision of rent to Lease No. PRC 4049.1, a General Lease - Commercial Use, of sovereign land located in Seven Mile Slough, adjacent to 1550 Twitchell Island
Road, Isleton, Sacramento County; for an existing commercial marina, known as Owl Harbor Marina. CEQA Consideration: not a project. (PRC 4049.1) (A 11; S 3) (Staff: S. Evans)

C 54 JOSEPH T. ZEITER (APPLICANT): Consider an application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the historic bed of the San Joaquin River at Atherton Cove, adjacent to 3700 Country Club Boulevard, near Stockton, San Joaquin County; for two existing boat dock facilities consisting of an uncovered boat dock, four covered boat docks, a sundeck, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 5577.1; RA# 32817) (A 13; S 5) (Staff: G. Asimakopoulos)

CENTRAL/SOUTHERN REGION

C 55 JAMES A. CACCAVO AND KIMBERLY J. CACCAVO, OR THEIR SUCCESSORS, AS TRUSTEES OF THE JAMES AND KIMBERLY CACCAVO FAMILY TRUST DATED FEBRUARY 17, 2002 (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign land located in the Pacific Ocean, below 417 Pacific Avenue, Solana Beach, San Diego County; for an existing seawall and a portion of a seacave/notch fill. CEQA Consideration: categorical exemption. (PRC 8811.1; RA# 05118) (A 78; S 39) (Staff: D. Simpkin, B. Johnson)

C 56 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES): Consider acceptance of an offer to dedicate a lateral public access easement over land adjacent to 25350 Malibu Road, Malibu, Los Angeles County. CEQA Consideration: not a project. (W 24665) (A 50; S 27) (Staff: L. Pino)

C 57 RALPH S. CASS AND LOISANN L. CASS, TRUSTEES OF THE CASS FAMILY TRUST, ESTABLISHED JULY 26, 2001, AS AMENDED JANUARY 16, 2017 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Morro Bay adjacent to 1134 5th Street, Los Osos, San Luis Obispo County; for an existing recreational pier not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 24180; RA# 10618) (A 35; S 17) (Staff: L. Pino)
C 58 CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER (LESSEE): Consider amendment to Lease No. PRC 8079.9, a General Lease - Public Agency Use, of sovereign land located on Owens Lake, Inyo County; for the installation, use, and maintenance of barn owl boxes in Dust Control areas (DCA) T5, T6, T7, and T8; the extended use of sand fences; the redesignation of 353 acres of managed vegetation dust control measures to sprinkler shallow flooding; the continued use and maintenance of two previously unauthorized access roads in DCA T37-2a (T37-2-L1); installation of flood control system in DCA T2-1b (C2-L1); and the continued use and maintenance of 0.81 acre of previously unauthorized gravel cover in DCA T2-1b (C2-L1) and 1.46 acres in DCA T2-1c (Duck Pond L1). CEQA Consideration: Environmental Impact Reports (State Clearinghouse Nos. 2011051068 and 2014071057) certified by the City of Los Angeles Department of Water and Power, an Addendum to the Environmental Impact Reports prepared by Commission staff, and categorical exemptions. (PRC 8079.9; RA# 15117) (A 26; S 8) (Staff: D. Simpkin)

C 59 VIET VAN DANG AND THUY TRAN DANG, TRUSTEES OF THE VIET V. AND THUY T. DANG FAMILY LIVING TRUST DATED JULY 26, 2000 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour adjacent to 16822 Coral Cay Lane, Huntington Beach, Orange County; for an existing boat dock and access ramp not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 27014; RA# 05918) (A 72; S 34) (Staff: L. Pino)

C 60 JUDITH A. FINCH (LESSEE): Consider revision of rent to Lease No. PRC 5492.1, a General Lease - Commercial Use, of sovereign land located in the historic bed of the San Joaquin River, adjacent to 10705 Lanes Road, in Fresno, Fresno County; for an existing unimproved recreational vehicle park and boat launch. CEQA Consideration: not a project. (PRC 5492.1) (A 5, 23; S 8, 12) (Staff: L. Pino)

C 61 CHRIS JOSEPH HAMILTON AND JUDITH WREN HAMILTON, TRUSTEES OF THE HAMILTON TRUST DATED DECEMBER 5, 1995 (APPLICANT): Consider application for a General Lease
INDEX CONTINUED

- Protective Structure Use, of sovereign land located in the Pacific Ocean, below 407 Pacific Avenue, Solana Beach, San Diego County; for an existing seawall and a portion of a seacave/notch fill. CEQA Consideration: categorical exemption. (PRC 8821.1; RA# 10818) (A 78; S 39) (Staff: D. Simpkin, B. Johnson)

C 62 RUSSELL H. LEPPER AND MARSHA L. LEPPER (LESSEE): Consider revision of rent to Lease No. PRC 3172.1, a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16622 Somerset Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp and cantilevered deck. CEQA Consideration: not a project. (PRC 3172.1) (A 72; S 34) (Staff: S. Evans)

C 63 KENNETH ARTHUR LESTER AND LANA CHRISTINE LESTER, TRUSTEES OF THE LESTER FAMILY TRUST, DATED APRIL 18, 1991 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16821 Bolero Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: categorical exemption. (PRC 4095.1; RA# 03818) (A 72; S 34) (Staff: K. Connor)

C 64 MEGAN MATCHINSKE AND DAVID W. BREHMER (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign land located in the Pacific Ocean, below 423 Pacific Avenue, Solana Beach, San Diego County; for an existing seawall and a portion of a seacave/notch fill. CEQA Consideration: categorical exemption. (PRC 8812.1; RA# 05218) (A 78; S 39) (Staff: D. Simpkin, B. Johnson)

C 65 JACK GRAHAM MERRITT AND SHARON LEE MERRITT AS TRUSTEES OF THE JACK GRAHAM MERRITT AND SHARON LEE MERRITT FAMILY TRUST, DATED DECEMBER 13, 1988 (ASSIGNOR); Lester A. Walker, III AND Maria Elena Walker (ASSIGNEE): Consider assignment of Lease No. PRC 8966.1, a General Lease - Recreational and Protective Structure Use, of sovereign land located in Huntington Harbour, adjacent to 3502 Venture Drive, Huntington Beach, Orange County; for an existing boat dock, access ramp, cantilevered deck, and bulkhead
C 66 ROBERT D. STEWART, TRUSTEE OF THE STEWART 2012 IRREVOCABLE FAMILY TRUST, DATED DECEMBER 17, 2012 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign located in the Main Channel of Huntington Harbour, adjacent to 16692 Coral Cay Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and two cantilevered decks not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 27022; RA# 05818) (A 72; S 34) (Staff: K. Connor)

C 67 LEE SWEARINGEN, TRUSTEE OF THE SWEARINGEN FAMILY TRUST, UNDER DECLARATION OF TRUST, DATED APRIL 15, 1996 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16832 Coral Cay Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: categorical exemption. (PRC 5936.1; RA# 29917) (A 72; S 34) (Staff: K. Connor)

C 68 BRUCE L. WARREN AND TRACY STAMOUR, CO-TRUSTEES OF THE WARREN TSA TRUST, DATED JANUARY 4, 2011; BRUCE L. WARREN AND TRACY STAMOUR, CO-TRUSTEES OF THE WARREN CLW TRUST, DATED JANUARY 4, 2011; BRUCE L. WARREN AND TRACY STAMOUR, CO-TRUSTEES OF THE WARREN LWC TRUST, DATED JANUARY 4, 2011 AND; BRUCE L. WARREN AND TRACY STAMOUR, CO-TRUSTEES OF THE WARREN BLW TRUST, DATED JANUARY 4, 2011 (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign land located at the mouth of the San Dieguito River and the Pacific Ocean, adjacent to 3010 Sandy Lane, Del Mar, San Diego County; for a rock riprap revetment, and masonry and wood fencing. CEQA Consideration: categorical exemption. (PRC 7899.1; RA# 32515) (A 78; S 39) (Staff: D. Simpkin)

SCHOOL LANDS

C 69 JOHN BARNUM (LESSEE): Consider revision of rent to Lease No. PRC 6823.2, a General Lease - Grazing Use, of State indemnity school land, in portions of Section 11, 12, 13 and 14, Township 26 North, Range 16
East, MDM, and Sections 6 and 7, Township 26 North, Range 17 East, MDM, near Herlong, Lassen County; for livestock grazing and fencing. CEQA Consideration: not a project. (PRC 6823.2) (A 1; S 1) (Staff: S. Evans)

C 70 GEYSERS POWER COMPANY, LLC (LESSEE): Consider revision of rent to Lease No. PRC 8090.2, a General Lease - Right-of-Way Use, of lieu land located in Section 33, Township 11 North, Range 8 West, MDM, near Middletown, Sonoma County; for an existing unpaved access road, known as Pine Flat Road. CEQA Consideration: not a project. (PRC 8090.2) (A 4; S 2) (Staff: S. Evans)

C 71 SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 3463.2, a General Lease - Right-of-Way Use, of State-owned school lands located within portions of Section 36, Township 23 North, Range 6 East, SBM; Section 36, Township 22.5 North, Range 6 East, SBM; Section 16, Township 25 North, Range 5 East, SBM; Section 36, Township 25 North, Range 5 East, SBM; Section 16, Township 22 North, Range 7 East; SBM, and Section 36, Township 26 North, Range 3 East, SBM, near Death Valley Junction, Inyo County; for an existing electrical transmission line. CEQA Consideration: not a project. (PRC 3463.2) (A 26; S 8) (Staff: C. Hudson)

C 72 TRAVIS STEWART (APPLICANT): Consider application for a General Lease - Grazing Use on State-owned indemnity and lieu lands, located within all of Sections 22, 26, 34, portions of Section 9, 15, 23, 25, Township 27 North, Range 17 East, MDM; and a portion of Section 33, Township 28 North, Range 17 East, MDM, near Duck Lake, Lassen County; for livestock grazing. CEQA Consideration: categorical exemption. (W 27190; RA# 01818) (A 1; S 1) (Staff: C. Hudson)

C 73 EDWARD SVENDSEN AND ELIZABETH FIELDING (LESSEE): Consider revision of rent to Lease No. PRC 9137.2, a General Lease - Grazing Use, of State indemnity school land, in portions of Section 3, 10, 11 and 14, Township 26 North, Range 16 East, MDM, near Herlong, Lassen County; for livestock grazing and fencing.
CEQA Consideration: not a project. (PRC 9137.2) (A 1; S 1) (Staff: S. Evans)

MINERAL RESOURCES MANAGEMENT

C 74 RONALD JAMES MARTIN (APPLICANT): Consider application to extend a mineral prospecting permit for placer gold and minerals other than oil, gas, or geothermal resources, sand and gravel, Assessor's Parcel Number 097-210-06, containing approximately 145 acres of State fee-owned school land, located within section 36, T28½S, R40E, MDM, Kern County. CEQA Consideration: categorical exemption. (PRC 9378.2; RA# 12118) (A 34; S 16) (Staff: V. Perez)

C 75 ROBERT G. WETZEL (APPLICANT): Consider application for a prospecting permit for precious metals and minerals other than oil, gas, geothermal resources, or sand and gravel, Assessor's Parcel Number 0570-051-24, containing approximately 633 acres of State fee-owned school land, located within Section 16, T15N, R10E, SBM, about 3 miles northwest of Interstate 15 Halloran Springs Exit, San Bernardino County. CEQA Consideration: Environmental Assessment/Finding of No Significant Impact adopted by the U.S. Bureau of Land Management. (PRC 9305.2; RA# 12418) (A 33; S 18) (Staff: V. Perez)

MARINE ENVIRONMENTAL PROTECTION - SEE REGULAR ADMINISTRATION - NO ITEMS

LEGAL

C 76 CALIFORNIA STATE LANDS COMMISSION: Consider approval of proposed additions to the California Code of Regulations, title 2, division 3, chapter 1, article 2.9.1-Permits for Geophysical Surveys. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, adopted by the California State Lands Commission, State Clearinghouse No. 2013072021, and categorical exemption. (W 30177) (A & S: Statewide) (Staff: K. Keen, J. Fabel)
INDEX CONTINUED

C 77 CALIFORNIA STATE LANDS COMMISSION: Consider authorizing the Attorney General to file a disclaimer in the McEnerney action entitled City and County of San Francisco v. All Persons, etc. et al. and State of California, San Francisco County Superior Court No. CGC-18-569714. CEQA Consideration: not applicable. (G 11-01) (A 17; S 11) (Staff: R. Boggiano, S. Scheiber)

KAPILOFF LAND BANK TRUST ACQUISITIONS - NO ITEMS

EXTERNAL AFFAIRS

GRANTED LANDS - SEE LEGAL

V INFORMATIONAL

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

VI REGULAR CALENDAR 79-84

79 CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Informational update on implementation of the Commission's 2016-2020 Strategic Plan. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: C. Connor, J. Lucchesi) 15

80 SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE): Consider certification of a Final Subsequent Environmental Impact Report (State Clearinghouse No. 1998031027); adoption of Findings and Mitigation and Monitoring Program; an application for an amendment to Lease No. PRC 8097.1, a General Lease - Non-Income Producing Use, of sovereign land located in the Pacific Ocean, San Clemente, Orange County, to authorize the Wheeler North Reef Expansion Project and revise the annual rent. (PRC 8097.1; RA# 21616) (A 73; S 36) (Staff: C. Hudson, S. Mongano, B. Johnson) 30

82  CALIFORNIA STATE LANDS COMMISSION: Consider sponsoring state legislation in the 2019-20 legislative session to amend the Marine Invasive Species Act. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton, N. Dobroski) 60

83  CALIFORNIA STATE LANDS COMMISSION: Consider sponsoring state legislation in the 2019-20 legislative session to address the decommissioning of offshore oil and gas facilities. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton) 65

84  CALIFORNIA STATE LANDS COMMISSION: Consider supporting federal legislation introduced in the 116th Congress, H.R. 310 by Congressman Jared Huffman (D-CA-2) to permanently prohibit offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington, and H.R. 279 by Congressman Salud Carbajal (D-CA-24) to permanently prohibit oil and gas leasing off the coast of California. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton) 68

VII  PUBLIC COMMENT 71

VIII COMMISSIONERS' COMMENTS 102

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: 102
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

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

   Oakland Bulk and Oversized Terminal, LLC v. City of Oakland

   San Francisco Baykeeper v. California State Lands Commission

   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.
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
I N D E X C O N T I N U E D

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.

Adjournment 103

Reporter's Certificate 104
CHAIRPERSON KOUNALAKIS: I call this meeting of the State Lands Commission to order.

All the representatives of the Commission are present. I am Lieutenant Governor Eleni Kounalakis. I'm joined today by State Controller Betty Yee, and Jacqueline Wong-Hernandez representing the Department of Finance.

For the benefit of those in the audience, the State Lands Commission manages State property interests in over five million acres of land, including mineral interests. The Commission also has responsibility for the prevention of oil spills at marine oil treat 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 takes seriously our trust relationship with these sovereign governments. Today, our gratitude goes to the Nisenan, Wintun, and Miwok people who have inhabited the Sacramento River corridor, valley, and foothills for countless generations.

The first item of business will be the adoption
of the minutes from the Commission's meeting of December 3rd, 2018.

May I have a motion to approve the minutes?

COMMISSIONER YEE: So moved.

ACTING COMMISSIONER WONG-HERNANDEZ: Second.

CHAIRPERSON KOUNALAKIS: Any objection to the unanimous vote, which I will abstain from, not having been present at that meeting.

Any objection?

COMMISSIONER YEE: No objection.

EXECUTIVE OFFICER LUCCHESI: I will call roll call in that response --

CHAIRPERSON KOUNALAKIS: Oh. All right. Got it.

EXECUTIVE OFFICER LUCCHESI: -- in that respect.

No worries.

Commissioner Yee?

COMMISSIONER YEE: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Wong-Hernandez?

ACTING COMMISSIONER WONG-HERNANDEZ: Aye.

EXECUTIVE OFFICER LUCCHESI: Chair Kounalakis?

CHAIRPERSON KOUNALAKIS: Abstain.

EXECUTIVE OFFICER LUCCHESI: Great.

CHAIRPERSON KOUNALAKIS: The motion passes.

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

Ms. Lucchesi, may I have that report, please.

EXECUTIVE OFFICER LUCCHESI: Yes. Thank you.

And welcome to your first State Lands Commission meeting, Chair Kounalakis. We've very excited to have you here today. And, Commissioners, welcome to your first meeting of to 2019. I have a number of things to update the Commission on, so bear with me. It might be a little longer than normal.

First, I did want to provide an update to the Commission on the Commission's application review process for the San Onofre Nuclear Generating Station Units 2 and 3 Decommissioning Project. We are currently putting the final touches on our responses to comments in the Final EIR. We hope to publish the final EIR by February 13th. This would give stakeholders and the general public over 30 days to review the Final EIR before March 21st tentatively scheduled special meeting. The location of that meeting is tentatively scheduled for San Juan Capistrano, approximately 25 miles from the SONGS site. And we will be posting that information on our website this week.

Next, I want to update the Commission on the Tijuana River litigation. Staff, along with Andrew, our Deputy Attorney General, and other representatives from
the Attorney General's office toured the infrastructure meant to capture cross-border wastewater with staff from the San Diego Regional Water Quality Control Board. They witnessed the discarded clothing, tire, plastic bottles, and sewage that entered the Tijuana River when the infrastructure fails, and discussed solutions with the regional water board staff.

Stopping the cross-border solution -- pollution will require collaboration with local, State, federal, and Mexican agencies. And our goal is that the litigation will force the U.S. International Boundary and Water Commission, the federal agency responsible for the cross-boundary pollution, to honor its obligation to stop this pollution from harming the public.

Since we last met, the Commission has been granted intervening -- intervenor status in the litigation. It is -- the litigation is still in the early information gathering phase. And most recently, the City of San Diego voted to join the lawsuit. And we look forward to working with them along with the regional board, the City of Imperial Beach, the City of Chula Vista, and the San Diego Unified Port District, and the Surfrider Foundation to preserve the environment and protect the public use of sovereign lands by stopping this cross-border pollution.
Next, I'd like to update the Commission on a couple -- on our two favorite and most important oil and gas decommissioning projects. First, with the Rincon Island and the Rincon Upland Lease. As the Commission is aware, the Rincon Project consists of abandoning oil and gas wells from both an onshore location and from Rincon Island located offshore of Ventura County.

Since September 2018, the Commission has abandoned 11 wells at the onshore location. Fourteen wells remain, which we expect to have fully abandoned before the end of 2019. The first island well abandonment began about one week ago. There is a total of 50 wells located on Rincon Island, and this work is expected to last up to 36 months. The work is progressing ahead of schedule and costs remain within budget.

Next, with Platform Holly decommissioning. The Parker Drilling Company finished their surveys to lay the basis for full repair and replacement work. This is dealing with the platform itself. The list of repairs and replacement equipment is extensive, and the repairs have begun. However, the total work won't -- excuse me, won't be completed until August 1st, weather permitting. The plugging and abandonment of the 30 Holly wells should begin this summer. And the good news is that some of the subtasks will not only make the work safer, but will
greatly increase efficiency and should expedite the abandonment to make up for the delay that's been caused from essentially having to rebuild the entire platform.

In terms of the Ellwood Onshore Facility. Both the oil and gas lines from the platform to shore have been electronically surveyed and the oil line has been repaired in two places by placing clamps over the area showing reduction in steel thickness. So again, more work relating to ensuring that everything is properly repaired, and put into place in order to start the plugging and abandonment in a safe well.

And finally, with the two shore zone piers under lease PRC 421 - and these two wells date back to the 1940s - there have been extensive surveys done on supporting the structures and the wellheads. That information, along with a risk assessment, produced a laundry list of items to be checked and repaired. So we're continuing to do that, and at the moment, continuing to reevaluate how we're going to approach the plugging and abandonment.

We anticipate that we will begin to abandon once the structure is set and the rig moves in. And hopefully that will happen in the next month or so.

I do want to update the Commission on the PG&E bankruptcy case. The State Lands Commission has 34 active
leases with PG&E for a variety of improvements in facilities, such as roads, gas transmission lines, natural gas pipelines, and distribution lines on both school lands and Public Trust Lands, including the offshore and river crossings.

We also have a lease with PG&E for the offshore infrastructure associated with the Diablo Canyon Nuclear Power Plant. Our Land Management and Legal Divisions in collaboration with the Attorney General's office are closely monitoring the bankruptcy proceedings to ensure this Commission's interest are protected as it relates to our 34 leases. And I will continually -- continue to update the Commission on those events as we move forward.

The Hollister Ranch survey update is the next item I want to update the Commission on. As the Commission is aware, since December, we have been working to survey the approximately eight and a half miles of coastline along the Hollister Ranch area of the Gaviota Coast. That survey was essentially completed this last Friday.

The aerial imagery portion has been completely -- has been totally completed. We have been able to survey approximately seven and a half miles of the eight and a half miles of coastline. However, about a mile of the coast in different areas were unable to be surveyed
because of unsafe conditions or access issues. So at this point, our team is going to synthesize the data that was collect in the field and we'll try to assess whether it makes sense to try to capture that last mile or if we have the information we need to at least approximate for our current purposes.

So we'll continue to evaluate, but the majority of the work associated with mean high tide line survey -- the majority of the field work, has been completed.

We hope to, over the next month and a half, synthesize that field work, and then be able to start putting lines on a map for those of us that are not surveyors can better understand the extent of the State's jurisdiction.

The next item I want to update the Commission on is a number of administrative items. First, our two divisions the Mineral Resources Management Division and the Marine Environmental Protection Divisions are -- those two divisions are headquartered in Long Beach. Due to an expiring office lease, over the past year, we have been preparing to move these two divisions to a new office location. Both divisions will start moving on Tuesday, February 19th, and the move will be deleted by Monday February 25th.

Our current office space is along Ocean Boulevard
in Long Beach. Our new office space is less than a mile away, also on Ocean Boulevard. So in terms of distance, we're not moving that far. But as you can imagine, moving approximately 100 staff people and all of their equipment and files, even a short distance, is quite a feat. And we'll be focusing on that move to make it as seamless as possible.

On January 31st, our staff participated in a legislative staff briefing relating to sea level rise and climate change. The Assembly Committee on Natural Resources hosted this legislative staff briefing on sea level rise policy. Various State agencies were invited, including the Coastal Commission, the Coastal Conservancy, the Ocean Protection Council, and the San Francisco Bay Conservation and Development Commission, in addition to the State Lands Commission.

We each gave a presentation on each agency's efforts and approaches to dealing with sea level rise within our own unique authorities and jurisdictions. And from what I understand, it was very well received. Lots of questions, especially dealing with the State Lands Commission and the legal boundary between State sovereign tidelands and uplands. So we look forward to working with legislative staff and legislators in the next -- in the upcoming session and over the next many years dealing with
I'm also excited to announce that the Commission's website is transitioning to an updated user-centric -- centered accessible and mobile-friendly site. This new website, which we expect to unveil in the next month or so, is intended to increase transparency, improve accessibility, and better showcase the diverse and picturesque public lands and resources under the Commission's jurisdiction.

Essentially, the last time we updated our website was about five or six years ago. This new design is sharper, more visually appealing, and makes better use of the pages to achieve user-friendliness. You might say that it's analogous to the difference between an iPhone 4 and an iPhone 10. So we're looking forward to that unveiling in the next month.

As the Commission is aware, the Governor's proposed fiscal year 2019-2020 proposed budget was released a couple of weeks ago. For the State Lands Commission, the 2019-20 budget is for $85,423,000. It's about 50 percent greater than prior year base budgets. And most of this is attributed to the $40 million we're being allocated for the Rincon and Platform Holly decommissioning projects.

Other 2019-20 funded projects include two million...
for the second year of the Bolsa Chica Wetlands dredging,
two million for our new Coastal Hazards and Legacy Well
Remediation Program, as well as over $2 million for
continued record preservation and digitization, and the
implementation of our Records Management IT Project.

We were also given in the proposed budget a new
forestry position to help manage our approximately 55,000
acres of school lands. So we'll look forward to working
with the Legislature as the proposed budget moves through
its process to July.

And two more items. I would like to take the
opportunity, especially because it's Chair Kounalakis's
first meeting of the State Lands Commission, and also our
first meeting of 2019, to introduce your senior staff that
are here for this meeting. So I will ask everybody to
stand up, please.

Our Assistant Executive Officer is Colin Connor.
Our Chief of our Legal Division and Assistant Chief of our
Legal Division is Mark Meier and Pam Griggs. Our Chief of
our External Affairs Division is Sheri Pemberton. Our
Chief of our Land Management Division and Assistant Chief
of our Land Management Division is Brian Bugsch and Grace
Kato. Our Acting Chief of our Division of Environmental
Planning and Management is Eric Gillies. Our Chief of our
Mineral Resources Management Division is Marina Voskanian.
Our Chief of our Marine Environmental Protection Division is Chris Beckwith. And our Assistant Chiefs are Dennis Vogel, who's not here today, and Nicole Dobroski, who is. Bob Stoddard is our Acting Chief for our Information Services Division. And Denise Cook and Lisa Lloyd, who I don't believe are here, are our Chief and Assistant Chief of our Administrative Services Division.

So these are faces, along with our staff that you'll see over the next year helping to provide you with all the relevant information and analysis in order to -- for you to make the best decisions.

And finally, I would be remiss if I did not also acknowledge that for the first time in its 80-year history, our State Lands Commission is being led by an all-female Commission.

(Applause.)

EXECUTIVE OFFICER LUCCHESI: Since its creation in 1938, the Commission has been led by 19 Lieutenant Governors, 11 State Controllers, and 32 Finance Directors, and has generated over is 11 and a half billion dollars for the State of California. But this is truly a watershed moment, as the Commission's leadership is now made up of an -- of all women, who, in your own very unique ways, are uniquely and especially poised to lead us in 2019 and beyond. And I'm so grateful for this
opportunity to work with you all.

So thank you.

CHAIRPERSON KOUNALAKIS: Well, thank you very
much Director Lucchesi, and thank you for that warm
welcome from you and from your staff. My Chief of Staff
Panorea Avdis is here. I'd like for everyone to have a
chance to know her. And Danna Stapleton also from our
office, who does our technology and social media work.
And I also just want to thank you for the many hours that
you have already spent, that you and your team have
already spent in getting us up to speed, briefing us on
the extensive and important work of the Commission.

We had a chance to go to Hercules together and
meet your team there. We had a chance to go already down
to San Onofre with the upcoming important meeting on the
decommissioning work there. And I know that we are in
great hands with you and your team to ensure that we have
all the information that we need.

I also want to acknowledge my fellow
Commissioners, in particular Controller Betty Yee. Your
work in the last -- over the last few years in the
establishment of the -- of the strategic plan for the
State Lands Commission. For the first time having a
comprehensive strategic plan will ensure that there is
consistency, and -- and institutional knowledge to help
guide this Commission forward into the future. So thank you to you for that work, and for your incredible leadership of this Commission.

And I think with that, I will just go ahead and move on to the next item. So the next order of business will be the adoption of the consent calendar.

Commissioner Yee, Commissioner Wang -- Wong-Hernandez, are there any items you would like to have removed from the consent calendar?

ACTING COMMISSIONER WONG-HERNANDEZ: No.

COMMISSIONER YEE: I believe Ms. Lucchesi has a list of them that incorporate my items.

CHAIRPERSON KOUNALAKIS: All right. Ms. Lucchesi, if you can indicate which items have been removed from the consent calendar.

EXECUTIVE OFFICER LUCCHESI: Yes. Consent items C29, C50, and C68 are removed from agenda and will be considered at a later time. I will -- I do want to note C29, that will be brought back to the Commission at its April meeting.

CHAIRPERSON KOUNALAKIS: Okay. Is there anyone in the audience who wishes to speak on any item remaining on the consent calendar?

If not, we will proceed with a vote. Do I have a motion?
COMMISSIONER YEE: Yeah, so moved.

ACTING COMMISSIONER WONG-HERNANDEZ: Second.

CHAIRPERSON KOUNALAKIS: Any objection to a unanimous vote?

If not, the motion passes.

The next order of business will be the regular calendar.

Item 79 is an informational update on implementation of the Commission's 2016 to 2020 Strategic Plan. May we have the presentation.

(Thereupon an overhead presentation was presented as follows.)

ASSISTANT EXECUTIVE OFFICER CONNOR: Okay. And we are live. Okay. Good morning, Chair Commissioner. My name is Colin Connor. I’m the Assistant Executive Officer. And it is my pleasure to present staff report number 79, an update on the Commission's Strategic Plan.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And before I get too far into this, I want to tie into something that the Chair just said about the implementation of the Strategic Plan. Prior to the Strategic Plan being implemented, you know, we hadn’t had one forever basically.

(Laughter.)
ASSISTANT EXECUTIVE OFFICER CONNOR: But -- and so I think Commission staff was pretty much head down and going about the basic functions. Once we had the Strategic Plan, and with -- with input from the Commissioners and staff, it became more of a roadmap. And staff really had a -- got a broader view of what the Commission is trying to do. And that really manifested itself when we start preparing this staff report. We have the numbers of targeted outcomes and things like, which I'll talk about. But what was really interesting to me is when we asked for the major accomplishments from all the divisions, it's amazing the buy-in. They really feel empowered and you -- when you get all this information of what they consider are their -- are their major accomplishments, it's just -- it's really -- it's cool for lack of a better word.

What makes it difficult is when we're trying to condense it down to a staff report, you know, trying to get some of the top things. So I'm going to be a little bit later on presenting what those are, but also hedging it, because there's so much that we did.

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ASSISTANT EXECUTIVE OFFICER CONNOR: So let's go over the strategic goals.

First of all, meet the challenges of our future,
lead innovative and responsible land and resource management, engage Californians to help safeguard the Trust, and lastly, the foundational aspect, cultivate operational excellence through integrated technology.

And as I said, that's a foundational aspect. And I think what we've done over the last several years is a great job of leveraging technology to increase our efficiency as staff, but also to increase public awareness of what the Commission is trying to do.

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ASSISTANT EXECUTIVE OFFICER CONNOR: This is how we track our progress on meeting our strategic goals. Each strategic goal has a targeted outcome, or targeted outcomes plural, basically metrics track our process -- our progress. Each targeted outcome has one or more champions, the people who are actually working on the action, and they track their progress on this form. And this is what I was referencing that we have the numbers. We can go back and, you know, see what they're doing.

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ASSISTANT EXECUTIVE OFFICER CONNOR: This is a tally of our achievements. And there are -- up until last year, there were 146 targeted outcomes. We added one this year, which is to identify school land sites suitable for electronic -- electric vehicle charging stations. So
that's something we're actively looking into.

ASSISTANT EXECUTIVE OFFICER CONNOR: And now the top accomplishments of 2018.

(Laughter.)

ASSISTANT EXECUTIVE OFFICER CONNOR: So let's start off with revenue. There's the pie chart that's in the staff report. And here's kind of a summary of it. Revenue gen -- increased from -- increased to $180 million this year. It was at $123 million last year. So that's almost a 50 percent increase. Some of the notable things there are the amount of money that we're contributing to CalSTRS, but also the Lake Tahoe Science and Improvement Fund of 1.5 million. Those monies go back to the lake for helping to basically, you know, preserve its clarity, and also mitigate and reduce any invasive species.

ASSISTANT EXECUTIVE OFFICER CONNOR: And here are some of our statistics on the Marine Invasive Species Prevention Program, which is a recognized world leader. I'm not going to read all that, but I do want to note that with respect to violations, the act has an enforcement and hearing process. And since we've started doing that process in July 1st, 2017, so over that 18 months, we've
pursued 12 enforcement actions and settled five of those for a total of $393,500, which goes back into the fund to be used. And the other seven actions are pending in various stages of negotiation.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And here's some statistics on our Oil Spill Prevention Program. And again, not going to read it. But the most important part about this is the incredibly small amount of oil that has actually spilled during these transfers, one part in a billion. I mean that just blows you away. The staff report actually has the decimal places. And it's like -- you know, no one can really understand what that is. That's why we basically boiled it down to one part per billion.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And then this is the -- the -- how to phrase this. We -- for the last year, so we've been trying to evaluate the renewable energy resource potential on the lands under the Commission's jurisdiction, primarily the staff of the Mineral Resources Management Division, Marina's shop. They've done an incredible job on that looking at the various types, you know, wave energy, wind energy, solar, biomass, things like that. And they'll be continuing that
work through 2019 and beyond with a more focused approach looking at specific sites.

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ASSISTANT EXECUTIVE OFFICER CONNOR: A number of our staff participated in the Government Alliance on Race and Equity, a State agency cohort. This is a picture of the staff at one of the meetings. And we were participants, along with other State agencies. And we'll be continuing that process through 2019.

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ASSISTANT EXECUTIVE OFFICER CONNOR: Another top accom -- this is it. This is a huge one. This was like a milestone moment right here. This was -- at the Commission's October 2018 meeting, the Commission authorized the a staff for the Mavericks Surf -- excuse me, Mavericks Challenge, a professional surfing contest. And surfing is now the official State sport. But this particular action, the State -- the Commission guaranteed and safeguarded equal pay and participation for female athletes.

This is like incredibly precedent setting, not only for the Commission, but hopefully statewide. Just a huge thing. It garnered a lot of press, as you're all aware.

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ASSISTANT EXECUTIVE OFFICER CONNOR: This is one that was, I think, very important for a different reason. This was -- this is the Dennett Dam on the Tuolumne River in Modesto, Stanislaus County. This dam had posed public health and safety hazard for decades. People had unfortunately drowned here. In April -- excuse me, August, 2018, the Commission, through funding and issuance of a lease, assisted in the removal of this dam. Not only was it removing a public hazard, but it allowed recreational boating passage as well, and just as important, fish migration and fish habitat.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And this -- as Jennifer had alluded to earlier, this is a view from Rincon Island looking to the land. She'd mentioned that we had taken -- or plugged and abandoned 11 during -- I believe during actually 2018, there were nine. So that's what this slide basically says. But this is looking from the island to the onshore. The wells that are being plugged and abandoned are the ones that are on the onshore that go out under water into the ocean.

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ASSISTANT EXECUTIVE OFFICER CONNOR: Another major accomplishment was the completion of the San Diego Ocean Planning Project's preliminary assessment. And this
is a -- just a shot of Point Loma off San Diego.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And this one was really cool. This is the plugging and abandonment of the Becker Onshore Well at Summerland Beach in Santa Barbara County. We finished that up in March 2018 on time and under budget, a great accomplishment. I especially like the picture of the child looking at the oil. Hopefully, this will become a thing of the past, and children won't have to deal with that going forward.

And this also ties in with our SB 44 actions, where we're trying to identify seeps and remediate those and legacy wells as well.

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ASSISTANT EXECUTIVE OFFICER CONNOR: So at its December 2018 meeting, the Commission adopted an environmental justice plan and the implementation blueprint. And we'll be continuing working on that through 2019 through an implementation program and staff training.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And that is a summary of the top accomplishments. And again, it was very difficult to choose, which ones were the -- you know, the major accomplishments, so much so that we added
another category.

ASSISTANT EXECUTIVE OFFICER CONNOR: And this is -- these are some of the other ones. And one of the ones, which happened just in September, was Prevention First. Our 13th Prevention first. They occur every two years. And this one we had 65 presentations, 72 different speakers, 524 attendees from all over the industry and other agencies. And we had a keynote address from the State Controller, Ms. Yee.

We also -- again, I'm not going to list all of them. But one of the other things that I thought was very beneficial to the Commission was we completed and -- we started with an employee engagement survey. And from that, we built onto it, and did a workforce plan, and then a succession plan. And going -- again, in 2019, we're going to be building on that and trying to implement those plans.

ASSISTANT EXECUTIVE OFFICER CONNOR: So what are the 2019 plans?

As Jennifer mentioned, we're going to continue working on Rincon Island and actually getting to plugging and abandonment on the wells on the island. And that's -- the slide to the upper right is Rincon Island and the
causeway leading to the shore. To the left is Platform Holly. We're going to be -- most of the time that's spent thus far in 2018 was refurbishing the platform so that we could actually conduct the plugging and abandonment operations from the platform.

So 2019, we're looking to actually start the plugging and abandonment work. And that's going to take quite some time to do.

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ASSISTANT EXECUTIVE OFFICER CONNOR: We're also looking at updating our MOTEMS standards -- or regulations, excuse me. MOTEMS stands for Marine Oil Terminal Engineering and Maintenance standards. And we're also going to be upgrading our oil spill prevention database.

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ASSISTANT EXECUTIVE OFFICER CONNOR: So this is simply titled AB 691. AB 691 requires certain trustees to prepare and submit to the Commission by July 1st of this year 2019 an assessment of the impacts of sea level rise on their public trust lands and assets. We're in the process of hiring a consultant to, on the one hand, help those people who are having difficulty compiling those reports, but also to help us synthesize the results of that and make recommendations going forward. So it will
be kind of an iterative process with the grantees.

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ASSISTANT EXECUTIVE OFFICER CONNOR: So we're also doing these things. And again, I'm not going to list them all out. We're going to -- although, I will say the one thing that's very important is Environmental Justice Liaison. We're looking to add a position, create a position. We've been trying to figure out what those duties are down to a granular level. And then we're going to be filling that position. We're going to continue on with GARE. We hope to continue in meeting in diverse locations. Last year, we were in Fresno, for instance, but other areas where these impacted communities can have some input.

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ASSISTANT EXECUTIVE OFFICER CONNOR: Again, as I mentioned, workforce and succession planning. Some of the things we're going to do on workforce and succession planning are implement strategies to improve recruitment; do better onboarding, so that people have a better idea of all the duties and all the other things that -- the services that are available to employees; knowledge transfer, mentoring, and a leadership development program.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And with
respects to renewable energy, as I mentioned earlier, staff of MRMD, and other staff as well, are going to be doing a more focused look at certain -- specific sites to see what their renewable energy potential is.

Also, and kind of important to me, over the last several years, I sat in on the Governor's Forest Climate Action team. And especially, in light of all the wildfires, the intensity of these wildfires, their frequency, and the fact that we have over 55,000 acres of forested lands -- we used to actually have foresters positions. But over the last two decades, we have not.

And so what we want to do is, as Jennifer mentioned, we want to hire a forester position, but we also want to conduct an inventory of our forested school lands. We need to find out what condition are they in. What types of, you know, trees are out there? Their health. Are they diseased? Are they too dense? All those things can help us, you know, prevent the type of wildfires that we're seeing throughout the state.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And this -- this slide actually ties back to our foundational strategic goal, cultivating operational excellence through technology. Staff will do these things are listed here and a lot more. As a matter of fact, this was really
difficult to pare down. So I just kept it with things that I thought we could understand. Otherwise, we were like into tech talk and cloud speak. And so I just wanted it to -- you know, like, here are the main things.

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ASSISTANT EXECUTIVE OFFICER CONNOR: And that concludes my presentation. I'm here to answer any questions. And if I can't answer them, we've got subject matter experts here as well.

So thank you.

CHAIRPERSON KOUNALAKIS: Well, thank you very much for that very complete presentation. Comments from other Commissioners?

COMMISSIONER YEE: Thank you, Madam chair. Thank you, Connor[SIC], for the -- for the overview and the update. First, I just want to applaud now Governor Newsom for the vision of embarking on the strategic planning process. You know, it was really, I think, just kind of coming to the Commission at one point and thinking where are we headed?

And given that, you know, the world is changing around us, and we can continue to do the work, and be conscious of the changes around us, but to actually have active involvement with respect to how we move from a fossil fuel-based economy and state to what we're about to
face going forward, and taking the lead on so many of these issues with respect to moving towards renewable energy within our jurisdiction, as well as tackling the daunting challenge of sea level rise, the effects of which are already upon us.

What I'm really impressed by is just how much we're able to quantify the work of the Commission through the objectives and goals of the strategic plan. It is something that I think is oftentimes left as an afterthought. But at the same time that we're actually developing the business plan of which each of the Divisions are doing, I think being able to come back and to have a report that shows just how far we're moving. And really, the leadership of the staff to take on so many fronts is really impressive, and particularly since the staff is quite small to tackle all of this. So we're thrilled to have this report.

This plan gets renewed every four years. And so what I wanted to say about that was the process was really an enriching one. This is a shared -- really a shared vision by all the stakeholders who do business with this Commission. And I think the stakeholder-driven process that we had embarked upon is something that I certainly will be employing again as we move to updating the plan going forward, with so much more information under our
belt as far as what the capabilities are of the Commission, but more importantly what we continue to build on.

And the other thing -- and I know Madam Chair, you'll agree with this, but this is a Commission that has been very shy about asking for additional resources. And when you look at all of the work that it has been able to accomplish without really a lot of additional resources, I would say that even when we do ask, it's very modest. And I for one will just whenever the need arises will be advocating for those resources. They came with a lot of thought. They come with a lot of, you know, just really needs justified. And this is a time where I don't think we should be shy about asking for additional resources with the breadth of work that the staff is already undertaking, pursuant to the initial strategic plan.

So really just kudos to the staff. Really, really happy, Madam Chair, that you've embraced this as kind of our Bible, if you will. But this is -- I just can't say enough about how this has really just thrust this Commission, you know, to the forefront. It's always been a leader, but even more so now with these -- this very much forward orientation.

Thank you.

CHAIRPERSON KOUNALAKIS: Thank you very much,
Commissioner Yee.

Do we have any public comments on this item?

All right. Seeing none.

We'll move to Item 80. It is to consider an application to authorize the Wheeler North Reef Expansion Project.

May we have the presentation, please.

(Thereupon an overhead presentation was presented as follows.)

EXECUTIVE OFFICER LUCCHESI: Cheryl Hudson, from our Land Management Division will lead us off, followed by Sarah Mongano from our Environmental and Planning and Management Division.

PUBLIC LAND MANAGEMENT SPECIALIST HUDSON: Hi. Good morning, Madam Chair and members of the Commission. My name is Cheryl Hudson, and I'm a Public Land Management Specialist were the Commission's Land Management Division.

I'm here to present Regular Item 80.

PUBLIC LAND MANAGEMENT SPECIALIST HUDSON: Item 80 is requesting that the Commission consider approval of certification of a Final Subsequent Environmental Impact Report and to amend the existing lease PRC 8097.1 to authorize the proposed Wheeler North Expansion Project.

The proposed project is located on sovereign land
in the Pacific Ocean approximately 0.6 mile offshore the City of San Clemente adjacent to the City of San Clemente -- City Pier. Sorry. Excuse me.

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PUBLIC LAND MANAGEMENT SPECIALIST HUDSON:
Southern California Edison Company has applied to amend the lease to expand the existing Wheeler North Reef from 174.4 acres to approximately 385 acres to meet the coastal development permit performance standards.

The Proposed Reef Expansion Project is known as the Wheeler North Reef Expansion Project, and would be phase 3 of the artificial reef required by the CDP. The proposed project would place approximately 175,000 tons of quarried rock in 23 designated areas adjacent to the existing reef.

The rocks used for the proposed project would range from approximately 0.25 to 0.5 -- or, yeah, 0.5 ton, and would be clean and free of contaminants. Due to the high demand of rock, the quarried rock would be purchased from a combination of Pebbly Beach and Empire Landing quarries on Santa Catalina Island in California, and the La Piedra Quarry in Ensenada, Mexico.

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PUBLIC LAND MANAGEMENT SPECIALIST HUDSON: In 1991, the California Coastal Commission adopted permit
conditions from the San Onofre Nuclear Generating Station, SONGS units 2 and 3, that required a package of mitigation to compensate for the loss of marine environment. The Coastal Commission amended the permit conditions in May of 1997 to require the SCE to create an artificial reef in the Pacific Ocean. As mitigations for SONGS units 2 and 3's impacts on the San Onofre kelp reef, the artificial reef was built in two phases.

On June 14th, 1999, the Commission authorized phase 1, a small experimental reef that was monitored for five years. SCE used the information gained from this monitoring to design and construct phase 2, a full sized mitigation reef. Phase 2 was authorized by the Commission on November 21st, 2006.

Under the CDP, the reef must meet a series of performance standards each year for full operating life as defined in the permit, including past and future years of operations of SONGS units 2 and 3, including decommissioning period, to the extent there are continuing discharges.

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PUBLIC LAND MANAGEMENT SPECIALIST HUDSON: A team of independent scientists have been monitoring the reef since 2009. Between 2009 and 2016, Wheeler North Reef
failed to meet the fish standing stock requirement each year, and for two years did not sustain enough kelp. The reef has met every other standard to date.

SCE has not received any mitigation credit for the Wheeler North Reef, because of its failure to meet the standards. Analysis of monitoring data collected from the Wheeler North Reef show that the additional reef acreage is needed for the Wheeler North Reef to meet all of its performance standards.

This includes -- concludes my portion of the presentation. Sarah Mongano with our Commission's Environmental Planning and Management Division will now discuss the environmental setting.

Thank you.

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SENIOR ENVIRONMENTAL SCIENTIST MONGANO: Good morning, Madam Chair and members of the Commission. I'm Sarah Mongano and I'm a Senior Environmental Scientist with the Commission's Division of Environmental Planning and Management.

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SENIOR ENVIRONMENTAL SCIENTIST MONGANO: In 1999, the Commission certified a Program EIR that analyzed the construction and maintenance of the existing portions of this artificial reef. Program EIRs, as opposed to Project
EIRs, are intended to provide analysis that's more general, and anticipates future projects, which can tier off their environmental assessments of the original Program EIR.

The potential for a reef expansion was anticipated in that Program EIR, so staff prepared a subsequent EIR for this project to evaluate the potential significant impacts.

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SENIOR ENVIRONMENTAL SCIENTIST MONGANO: A subsequent EIR directs readers to the 1999 Program EIR for resource areas that would experience roughly the same impacts as described in that EIR, and for which subsequent new analysis is not warranted. For example, onshore traffic and transportation, terrestrial biology, and similar resource areas don't need to be reanalyzed in a subsequent EIR, because the impacts haven't changed.

Resource areas that would potentially experience more or greater impacts are shown on this slide, with those requiring more extensive analysis and mitigation shown in bold.

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SENIOR ENVIRONMENTAL SCIENTIST MONGANO: This slide shows a brief CEQA timeline for the project, including all opportunities for public comments.
SENIOR ENVIRONMENTAL SCIENTIST MONGANO: During tribal consultation for this project, the Juaneño Band of Mission Indians, Acjachemen Nation raised concerns, because their oral history and tribal files contained references to village sites inundated a millennia ago through post-glacial sea level rise.

They requested an archaeological reconnaissance survey of portions of the project area to investigate for the possibility of tribal cultural resources. Using side scan sonar images, tribal representatives and Commission staff, including consulting staff, identified ten areas that were proposed for rock placement, which could hold bedrock milling sites, rock shelters, or other resources.

Following that, a tribal representatives and a member of our consulting team dove these areas to visually inspect them. No physical tribal cultural resources were identified during those dives.

SENIOR ENVIRONMENTAL SCIENTIST MONGANO: However, the Acjachemen Nation diver identified an area of cultural sensitivity within one of the project areas. After consultation, Southern California Edison eliminated that area from the project design, and identified additional contingency areas seaward of the original project. These
contingency areas allowed SCE to keep the original
proposed project reef size, while avoiding areas
identified by the Acjachemen Nation as being of concern
for tribal cultural resources.

Commission staff has received the thanks of the
Acjachemen Nation. And their feeling that this project
has been a great example of regulator, applicant, and
Native American tribes working in collaboration towards a
successful project.

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SENIOR ENVIRONMENTAL SCIENTIST MONGANO: Public
comments for this project have been broken down into five
major areas, with this slide showing each of those areas
concern raised during the public process -- comment
process.

The first is that the project is expensive and
SCE will pass the cost onto the ratepayers.

Staff acknowledges the concern. The project is
estimated to cost over $20 million. However, expanding
the Wheeler North Reef is necessary to mitigate for the
destruction of the natural kelp reefs associated with the
operation of the SONGS facility.

Results of monitoring since 2009 have concluded
that the artificial reef was built too small to meet the
CDP mitigation requirements. If the project isn't
implemented, some of the natural resources lost to SONGS operations will never be sufficiently mitigated.

The second comment area is that a high relief reef would increase fish production and improve fishing opportunities more effectively than the proposed low-reef design.

Our response is that the alternative of a compound reef, which included high- and low-relief segments, was described in the EIR and was eliminated from consideration because it's inconsistent with the project's goals. The Wheeler North Reef was built to mitigate for impacts to a low-relief reef impacted by SONGS operations. The CDP also requires that the Wheeler North Reef have medium to high kelp densities. And these densities are not supported by high-relief reefs. Additionally, high-relief reefs require a lot more quarry rock. And transportation of that additional rock would substantially increase the project's environmental impacts to air quality and increase greenhouse gas emissions.

A third major comment area for this EIR was that the existing reef has impacted sea urchin harvesting grounds inshore by affecting sand accretion, and the reef expansion will cause further impacts.

This reef is extensively monitored and has been since 2009. Monitors of the existing reef report that
they don't generally see significant differences in accretion between offshore, middle, and inshore areas of the reef. The area landward of the existing reef is a dynamic area in shallow water. Natural changes in these -- this -- these areas are due to dynamic movement of the sediment, rather than the presence of the Wheeler North Reef. The project is not expected to impact inshore urchin harvesting grounds.

The fourth major comment area we received was that the project could impact surf breaks and surfing conditions near the project site.

Our response is that the reef would be placed in more than 40 feet of water with hard substrate that would extend no more than three feet above the seafloor. The 1999 Program EIR concluded that the reef and its resulting kelp -- excuse me -- kelp forest would not affect swell waves. Since the existing reef's construction, no impacts to swell waves or surfing conditions have been observed. Because the project area and reef design for the project is very similar to the existing artificial reef, the expanded reef is also not expected to impact surf conditions.

Finally, we received comments that the reef monitoring or the performance standards in the CDP - that's coastal development permit - are flawed and should
be changed rather than expanding the reef.

Our response is that the proposed project does not include a change in the monitoring methods, which are required in the Coastal Commission's CDP. The performance standards are outside the purview of this lease. They're reviewed on a regular basis by the Coastal Commission and their effectiveness is considered in annual reports prepared by the monitoring science -- scientists.

The Coastal Commission has the discretion to revise the monitoring plan, based on these reports.

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SENIOR ENVIRONMENTAL SCIENTIST MONGANO: So in conclusion, staff recommends that the Commission certify the subsequent Environmental Impact Report, adopt the Mitigation Monitoring Program and CEQA findings, and authorize the amendment to the lease as presented in Item 20.

This concludes the presentation. Thank you.

CHAIRPERSON KOUNALAKIS: Thank you very much for that presentation.

Do we have any comments from Commissioners?
Okay. Hearing none.

Do we have a motion?

EXECUTIVE OFFICER LUCCHESI: Chair? Madam Chair, we do have --
CHAIRPERSON KOUNALAKIS: Oh, I'm so sorry.

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON KOUNALAKIS: We do have a speaker slip right in front of me. My apologies.

We have one speaker registered to comment on Item 80. It's David Asti, Senior Advisor of Regulatory Affairs from Southern California Edison. My apology.

MR. ASTI: No problem. Can you hear me okay?

Good morning. I am David Asti, Senior Advisory, Regulatory Affairs for Southern California Edison.

I've got about a 40-slide slide deck -- no, just kidding.

(Laughter.)

MR. ASTI: We've just got some -- a little panic.

Small comments here. I just want to read a few into the record.

SCE would like to thank the State Lands Commission and their consultant staff, Dudek, for the outstanding quality of work presented in the Final EIR, and swift manner in which they addressed comments on the draft, in order of the Commission to be able to hear the project today.

As you saw, the Wheeler North Reef is required under the Coastal Commission's CDP for SONGS to attain 11 relative and four absolute standards. As also shown in
today's presentation, the Science Advisory Panel and the principal investigators conclude that while the existing 176-acre reef is performing as a natural reef, unfortunately it's neither large enough to meet the fish standing stock standard of 28 tons nor the giant kelp area standard.

The proposed expansion project will add about 200 acres to the existing reef, and is designed to meet the absolute and relative standards, even in years of low kelp production associated with natural oceanic cycles.

It's our opinion that the Final EIR and associated lease amendment reflect an accurate and fair representation of the project. It presents and over -- objective review of the project's potential impacts and benefits, and recommends appropriate mitigation to reduce the potential adverse impacts.

We also believe the Wheeler North Reef will result in a net benefit to several marine habitats and life forms.

As such, we encourage the Commission's approval of the Final EIR and lease amendment presented before you today.

Again, thank you very much.

We have the project manager and subject matter experts should you have any additional questions.
CHAIRPERSON KOUNALAKIS: Well, thank you so much. I do have one, because you raised again the role of the Coastal Commission. Do we hear from the Coastal Commission as part of this process?

EXECUTIVE OFFICER LUCCHESI: I am not sure if they submitted a formal comment letter, but I'm looking to Sarah. And we do have a representative from the Coastal Commission staff in the audience, if you wish to hear directly from them.

SENIOR ENVIRONMENTAL SCIENTIST MONGANO: Coastal Commission staff have been involved with the project from the beginning. They did not submit formal comments because they have been -- we had a -- I forget whether it was an MOA or an MOU. They reviewed the documents prior -- in many of its stages. And they are -- they are in complete agreement with the findings. We have Coastal Commission staff here, if you'd like to hear from them.

CHAIRPERSON KOUNALAKIS: Yes, thank you.

DR. HUCKELBRIDGE: Good morning, Commissioners. My name is Kate Huckelbridge. I'm a Senior Environmental Scientist with the Coastal Commission.

And I have been actively involved with your staff for many months working on this document. As was explained, the reason we are here is because we have a requirement that this -- the first phase in -- phase 1 and
phase 2 reefs, that that reef has not been meeting its requirements under our permits, so we have required SCE to build a bigger reef.

That then kicked it over here to your Commission to make a determination on expanding the size of the reef. So we will be taking this up in front of our Commission, if it is passed here, for consideration for another CDP. But we are in full agreement with the document, as was prepared, and -- but are happy -- I also have one of our scientists here today, so if you have any technical questions, we're more than happy to answer.

CHAIRPERSON KOUNALAKIS: You know I just -- I just have one sort of general question, which is how are you finding the creation of new reefs in terms of being able to duplicate those which are found naturally?

DR. HUCKELBRIDGE: Excellent question. So one of -- when we required the creation of phase 1 and phase 2 reef, it included this very extensive monitoring program. And part of what the requirement was was to create a reef that behaved like a natural reef. And so as you've heard discussed, there were two standards that the reef was not meeting, that was the fish biomass requirement, and in a couple of years the kelp.

The only other standards are designed to compare that -- the phase 1 and phase 2 reefs with other natural
reefs, and to see if it was behaving. And what we have
found is, in general, yes, it has been behaving like a
natural reef. It just wasn't big enough. So that's why
we're here today.

CHAIRPERSON KOUNALAKIS: Wonderful. Thank you
very much.

DR. HUCKELBRIDGE: Thank you.

CHAIRPERSON KOUNALAKIS: All right. Any other --
Commissioner Yee.

COMMISSIONER YEE: Thank you, Madam Chair. I
just want to thank everyone for the extensive
participation in this process, and the -- also, the really
thoughtful, extensive responses by the staff to all of the
comments that were made.

This is a project -- and I think your question,
Madam Chair, really speaks to the heart of I think a lot
of the skepticism around mitigations like this. But I
think this process has been probably as open as it
possibly can be.

So with that, I'd like to move that the
Commission certify the Final EIR.

ACTING COMMISSIONER WONG-HERNANDEZ: Second.

CHAIRPERSON KOUNALAKIS: Any objection to a
unanimous vote?

Seeing none. The motion passes unanimously.
Thank you.

EXECUTIVE OFFICER LUCCHESI: I just want to mention two things. First, if we could not just vote to approve the EIR, but approve the entire staff recommendation, that would be great.

COMMISSIONER YEE: Okay. Let me go ahead then and amend the motion to approve the final EIR, as well as, yeah, the staff recommendation, which is inclusive of that.

ACTING COMMISSIONER WONG-HERNANDEZ: Second.

CHAIRPERSON KOUNALAKIS: All right. We have a motion and a second. Any other staff comment?

EXECUTIVE OFFICER LUCCHESI: The only thing I wanted to just amplify was our Tribal Consultation Policy, and the implementation of that with this project. You heard our staff presentation mention that, but I think it's worth just highlighting for one moment, because it was through that Consultation Policy and the hard work of not just our staff, but the applicant SCE, along with all the other stakeholders really hearing and understanding the concerns from the tribal nation that was affected, and redesigning and being open to redesigning the project to avoid impacts to cultural resources. And I thought that that was a really great example of our Tribal Consultation Policy, you know, in its implementation.
And we hope to replicate that process with many of our projects throughout the state. So I always like to highlight where that consultation works well, such as this project.

Thank you.

CHAIRPERSON KOUNALAKIS: Thank you very much.

All right. Seeing no objection, motion carries.

Item 81 is to consider approval of the legislative report titled 2019 Biennial Report on the California Marine Invasive Species Program.

May we have the presentation, please.

EXECUTIVE OFFICER LUCCHESI: And before our -- before Chris starts, I do want to just warn the Commission and members of the audience listening, this will be a more in-depth presentation that lasts a little bit longer than our typical presentations, only because it provides a good foundation of the Marine Invasive Species Program itself, which is going to be important moving forward in this year, and also really sets the stage for subsequent actions by the Commission on this agenda.

So we're going to be spend a little bit more time --

CHAIRPERSON KOUNALAKIS: Great.

EXECUTIVE OFFICER LUCCHESI: -- explaining the program and how successful its been. And so we thank you
in advance for your patients.

SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: Thank you for the warning.

(Laughter.)

(Thereupon an overhead presentation was presented as follows.)

SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: It won't be too much longer than normal, but -- so good morning, Madam Chair and Commissioners. My name is Chris Scianni. I'm a Senior Environmental Scientist with the Marine Environmental Protection Division. And I'm going to be presenting Item number 81 and ask for you to consider approving the proposed legislative report titled 2019 Biennial Report on the California Marine Invasive Species Program.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: So first, a little bit of background about the problem that we're trying to address and that's the introduction of non-indigenous species into California waters. So non-indigenous species are organisms that are transported into areas where they don't naturally or historically occur.

And once they come into a new environment, if they become established, they can start to cause a lot of
the negative environmental, human health impacts, economic impacts that are typically associated with invasive species.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: And just want to spend one more slide talking about the impacts of invasive species and compare it to a more traditional pollutant like oil that we're more familiar with. So this is a generalized figure here with impacts on the Y axis on the left-hand side, and time on the X axis on the bottom.

And for oil spills, the impacts are usually immediate and devastating. But over time, through clean up-activities, dispersal, and just time in general, those impacts can be reduced. For invasive species, it's quite the opposite. So usually, the impacts are minimal at the beginning. The small introduce population has some small impacts. But if they get a foothold, and they start producing, the population size starts to grow. Their geographic footprint starts to grow. Their interactions with other organisms starts to grow, and so you see more and more impacts over time.

And so kind of the takeaway point from this figure is that the magnitude of the level -- the level of impacts is pretty similar, but the timing is drastically different. And so for invasive species, because the
impacts continue to rise over time, it's pretty hard to remove them to clean up the environment once they get a foothold, and so prevention is obviously key.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: So these non-indigenous species are moved around the world through a variety of different pathways. For coastal areas, commercial shipping is the primary pathway and it's responsible for approximately 80 percent of the currently established non-indigenous species in the coastal and estuarine waters of North America.

Ships and other vessels move species around through two primary mechanisms. And the first is ballast water. So this is basically water that they'll take on board to -- for trim, stability, and balance purposes. It's usually inversely correlated to cargo loading and unloading operations. So if they're unload -- so, for example, if it's a tank vessel that's unloading oil at a terminal, they'll take on ballet water often, and then go to the next port, take on cargo, and then they'll unload that ballast water.

And so basically they're taking large volumes of water from one port with the billions of organisms in that water, and then transporting it to a new area.

The other mechanism is vessel biofouling. And
it's commonly referred to as hull fouling. But these are basically the organisms that are physically attached to the vessel underneath. So think of muscles and barnacles attaching to any rock. But they do the same with ships. And so as the ship -- the vessel moves from port to port to port around the world on its voyage, these organisms are going with it.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: And so because of these challenges, the State Legislature created our program, the Marine Invasive Species Program. And they placed a mandate on us to move the state expeditiously toward elimination of the discharge of non-indigenous species into the waters of the state.

So basically, we're an invasive species prevention program. And we focus on regulating the management of ballast water and biofouling for ships that are operating in California.

It's a multi-agency program, so the Commission is the administrator of the program. We develop regulations. We propose -- we make recommendations to the Legislature. We enforce those regulations. We collect, and analyze, and use a lot of data that comes in from the shipping industry on their management practices. The Department of Fish and Wildlife conducts surveys of the outer coasts,
ports, harbors, bays initially to get a baseline of what species were here in California at the time that our program was put into place. And then they regularly go out to monitor and see if they can identify any new introductions or range expansions to get a better feel for -- to evaluate the effectiveness of the policies that we put into place.

The State Water Resources Control Board serves consultative role, so they provide water quality expertise to our policymaking. And then the Department of Tax and Fee Administration charges a fee, and receives that fee from every vessel that comes into California to fund our entire program. So we're entirely specially funded. We don't draw any general funds.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: So now onto the report. The purpose of this report is to provide an update to the Legislature. We do this every two years, as required by Public Resources Code section 71210 and 71212.

So this report covers the time period from July 2016 to June 2018, so the last two full fiscal years. And the report itself includes an update of our activities as a program, a summary of the vessel reported data that we've been collecting from vessels for these past two
years, including their traffic patterns, their ballast
water and biofouling management practices.

It includes a summary of our inspection data and
enforcement information. And then a summary of recent
research that we've either conducted ourselves, we've
funded, or that we also include a literature review from
all of the relevant literature from the scientific
community for the past two years.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: So I
just want to touch on -- kind of build off of what Colin
did earlier and touch on our accomplishments as a program
for the past two years. We have quite a few.

So this first page is three sets of regulations
that were either newly adopted or amended during this
two-year period and implemented. The first is a set of
biofouling management regulations that was implemented on
October 1st 2017. This was the world's first set of
biofouling management regulations that were implemented.

Since then, New Zealand has also implemented a
set of regulations. But it's a good example of California
kind of leading the world on this new environmental
protection policy. We also implemented enforcement
regulations that started July 1st of 2017, setting
categories of non-compliance, setting penalty amount for
different -- the different categories. And it kind of lays out transparently our process of assessing these penalties and gives the violating party an opportunity to appeal those decisions. So it kind of lays that out transparently.

And then finally a fee change regulation, again implemented in early 2017, to adjust the amount of the fee that the vessels pay when they come into California to make sure that we can cover all the costs of the program.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: One of the other accomplishments - I'll go backwards with the bullets - there was a change to the reporting submission compliance for vessel submitted reporting forms a few years ago to have them submit it to us 24 hours prior to arrival versus before it was upon departure.

But our ability to get this form now a day before they come in allows us to look at it, review it, conduct a pre-arrival risk assessment to identify the high-priority vessels, so that we're not going out -- because we have a mandate to inspect 25 percent of the incoming vessels every year. So that we don't just go out and inspect a random selection of 25 percent. We're going to target the ones that are most in need of outreach, most in need of a real inspection, because they present a risk. So this was
a new thing that we started this -- the last two years.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: Another accomplishment is a public facing vessel reporting application. This was again released in 2017. This allows a vessel's crew, or owner, or agent, or shipping -- yeah, shipping agent to log on and complete the mandatory reporting forms online, and submit them directly to us, so that we can do a quick review and then put them into our database.

It improves the transparency for the industry, because it allows them to log on. And any member that I said, it could be the vessel's crew, the owner, the operator, the agent, to see if their forms have been submitted. They can track their port call history. They can track their submission history. They can track their inspection history. So it provides a lot more information for them to make decisions, and it improves the efficiency of our program overall.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: And then finally, during these past two years, our staff made a commitment to publish a lot more of our data and our research, so that it gets out there to the broader world.

So over the past two years, we had four
peer-reviewed scientific articles that were published.

Yeah, it helps to shine a light on our program, but it also helps us to make sure that our processes are done correctly. So when these go out, they get peer reviewed. Our methods get vetted by practicing scientists. And it makes it easier for us to use this information to develop policies.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: So those are the accomplishments. In the report, we highlighted one main challenge. And we talked at length of this challenge in a previous report that the Commission approved in December on ballast water treatment technologies.

So here, I'll just briefly bring it up. There was a law that went into effect, that was signed into law in December, originally introduced as the Vessel Incidental Discharge Act. And it was signed into law as a part of the Frank LoBiondo Coast Guard Reauthorization Act of 2018. And the challenges that it will preempt State authority to establish and implement ballast water management requirements. And that includes California's existing ballast water discharge standards.

We have about four years before that happens. The U.S. EPA has to go through a rulemaking action to set
national standards. The Coast Guard has to go through another rulemaking action after that to set up their enforcement and compliance regime. And so the estimate is about four years for that to take place. And so in the interim, we have to start planning for this.

We spelled out in the previous report some of the actions that we'll take, including working with the Legislature to make changes to the Marine Invasive Species Act that need to be made, and to also review it in depth with the Attorney General's office to make sure that we understand exactly what the implications are for our program.

And I believe the next item, Item 82, will touch on that a bit. So I'll leave that there for now.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: Our next steps. I mentioned that we had new biofouling management regulations that went into effect. And we also had enforcement regulations that went into effect. Those two rulemaking actions went through simultaneously. And the enforcement regulations were adopted first. And so it really only includes our ballast man -- ballast water management requirements. And so one of the things that we're working on now is to develop a new rulemaking action to incorporate all the biofouling management requirements.
into that enforcement regime. And so that's ongoing.

I also talked about a pre-arrival risk assessment. We -- now that we have biofouling management requirements, we're developing a numerical model to place weighted risk based on the information that the vessels submit to us in several reporting forms, so that we can prioritize not only the high ballast water priority -- or not separately, high biofouling priority, but a high priority vessel for us to inspect. So it will help us to better target our limited resources for inspections.

And then finally to work with the Legislature to amend the Marine Invasive Species Act, like I mentioned. And we're going to hear more about that on the next item.

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SENIOR ENVIRONMENTAL SCIENTIST SCIANNI: So with that, yeah, just the -- the staff recommendation is to approve the proposed legislative report titled 2019 Biennial Report on the California Marine Invasive Species Act. Sorry, that should be "Program". Marine Invasive Species Program.

Happy to take questions, if you have any.

CHAIRPERSON KOUNALAKIS: Thank you very much. Commissioners, questions?

COMMISSIONER YEE: Just a comment, Madam Chair, if I may.
You spoke about the peer review process. I just wanted to acknowledge, you know, what the State Lands Commission is doing, actually the State of California. We really are leaders on this front. So many observers around the world actually look at what California is doing. So I'm happy you brought up the federal VIDA legislation, because, you know, any setback with respect to our authority to continue to do what we've been doing, I think would really create some harm. So appreciate you raising all of that.

COMMISSIONER YEE: So with that, I will --
CHAIRPERSON KOUNALAKIS: Director --
COMMISSIONER YEE: I will --
CHAIRPERSON KOUNALAKIS: We have one -- we have one speaker --
COMMISSIONER YEE: Oh, one speaker. Okay. Okay.
CHAIRPERSON KOUNALAKIS: -- from the public.
Director Lucchesi, did you have anything to add before we --
EXECUTIVE OFFICER LUCCHESI: No.
CHAIRPERSON KOUNALAKIS: All right. John Berge Vice President of PMSA. Please come to the podium.
MR. BERGE: Thank you, Madam Chair and Commissioners. My name is John Berge. I'm with the Pacific Merchant Shipping Association. We are a regional
trade association. And we represent, among other things, shipping lines calling California servicing our great needs, and thus part of the regulated community under the Marine Invasive Species Program.

Just simply I'm speaking in support of the report. I think it is important for you to understand that our industry has recognized and taken responsibility for the risk of aquatic invasive species introduction through shipping vectors, and we've invested significant resources in trying to mitigate that risk.

We have achieved that risk mitigation really hand-in-hand with the State Lands staff. Their excellence in outreach, and education, and collaboration I think has helped to make this as successful as we've seen. And I believe the data in the report that you've seen bears that out.

We are now really entering a new chapter in invasive species risk mitigation for our industry. And VIDA, the Incidental Discharge Act aside, the fact is we're moving from what used to be a interim based management strategy for reducing this risk, now moving towards basically installing best available technology on all the ships, essentially worldwide, but certainly all the ships calling the United States.

So as we enter this new phase, you know, there's
going to be some significant challenges and complications just inherent in the process. But we're looking forward to working for -- working closely with State Lands staff and the Commission in trying to make that as successful as possible.

And on a related note, again, agenda item right after this, 82, the legislation, we're also committed to working with the Commission, as that legislation makes it through the Legislature and to the Governor's desk.

So that's simply the comments I had. If you had any questions, please feel free to ask.

CHAIRPERSON KOUNALAKIS: All right. Thank you very much.

Do we have a motion?

COMMISSIONER YEE: So moved.

ACTING COMMISSIONER WONG-HERNANDEZ: Second.

CHAIRPERSON KOUNALAKIS: Any objection to the unanimous vote?

Seeing none. The motion passes unanimously.

Item 82 is to consider sponsoring State legislation to amend the Marine Invasive Species Act.

May we have the staff presentation?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Thank you, Madam chair and Commissioners. My name is Sheri Pemberton. And I won't go over the full
discussion on these issues, since the previous staff report went into that.

The problem that we seek to address in this item is that our previous reports have shown that technology isn't available to meet the California standards. And the next standards are taking effect January 1st, 2020. We also have the issue of VIDA, which was recently passed that does preempt California's authority to establish its own ballast water discharge standards.

So absent a legislative change, operators will be unable to comply January 1st, 2020. So we want to engage the Legislature on looking at ways that we can strengthen the law, so that we are protecting our State waters from marine Invasive species protection -- introductions. And we also want to give the Commission the tools that it needs to be effective.

We've been laying that groundwork. We've been meeting with legislative staff.

(Sound system malfunction.)

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: We've been -- our staff has been laying the groundwork briefing key legislative staff at the Natural Resources and Environmental Quality Committees. And so I'll just take you quickly through the provisions that we request that the Commission authorize in this legislation.
One is to give the Commission authority to take samples of ballast water and biofouling for research purposes. And this will help us look at whether the discharge systems installed on vessels are working, and also update some of the definitions, including the definition of Pacific Coast Region and delete other obsolete language in the statute, and then broader authority to work with the Legislature on addressing the standards issue.

So the recommendation is that the Commission sponsor legislation to that effect.

CHAIRPERSON KOUNALAKIS: Okay. Comments from Commissioners?

COMMISSIONER YEE: Thank you, Madam Chair.

I'm wondering if, in addition to legislation, there might not be some interest to also introduce a joint resolution that speaks to the opportunities and the benefits of the State having authority, and really using it as a tool to hopefully move some of our members back in Washington.

And to the extent that this is all under the Coast Guard related legislation, the lead federal agencies maybe can take a look at California with respect to how they might want to fashion, you know, what they do at the Federal level.

So it's just an idea. I'm not saying do it, but
oftentimes it's kind of an extra kind of call for our
members of Congress to pay attention to California. And
it's also maybe a way to memorialize the successes we've
had as well.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
PEMBERTON: Yes, I think that's an excellent -- excellent
idea that we can -- we can certainly work on and explore.

COMMISSIONER YEE: And it can be a companion to
the bill to strengthen our own provisions as well.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
PEMBERTON: Yes.

COMMISSIONER YEE: Great. Thank you.

EXECUTIVE OFFICER LUCCHESI: So we will take that
back --

COMMISSIONER YEE: Yes.

EXECUTIVE OFFICER LUCCHESI: -- and work on some
of the details associated with that, and bring that back
to the Commission for your consideration.

COMMISSIONER YEE: Yes, that would be great.

CHAIRPERSON KOUNALAKIS: Okay.

COMMISSIONER YEE: So with that I would --

CHAIRPERSON KOUNALAKIS: Public comments.

COMMISSIONER YEE: Oh, I'm sorry. Are there?

CHAIRPERSON KOUNALAKIS: Real quick. Are there
any public comments?
I have not received any slips.
Okay.

COMMISSIONER YEE: Okay. So I would move that
the Commission sponsor legislation to amend the Marine
Invasive Species Program.

ACTING COMMISSIONER WONG-HERNANDEZ: So, Madam
Chair, the Department of Finance considers, during the
normal legislative process, all of the bills that go
through, and so we typically abstain from legislation,
either taking a position or sponsoring.

CHAIRPERSON KOUNALAKIS: All right. I'll second.
So can we have a roll call vote?
EXECUTIVE OFFICER LUCCHESI: Yes.
Commissioner Yee.
COMMISSIONER YEE: Aye.
EXECUTIVE OFFICER LUCCHESI: Commissioner
Wong-Hernandez?

ACTING COMMISSIONER WONG-HERNANDEZ: No voting.
EXECUTIVE OFFICER LUCCHESI: And, Madam Chair?
CHAIRPERSON KOUNALAKIS: Aye.
EXECUTIVE OFFICER LUCCHESI: Okay. The motion
passes 2 to 0.

CHAIRPERSON KOUNALAKIS: All right.
EXECUTIVE OFFICER LUCCHESI: With one abstention.
CHAIRPERSON KOUNALAKIS: Okay. Next on the
agenda, Item 83, is to consider sponsoring State legislation to address the decommissioning of offshore oil and gas facilities.

May we have the staff presentation?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Yes. Thank you, Madam Chair and Commissioners. Item 83 recommends that the Commission sponsor legislation relating to offshore oil and gas decommissioning. There's two pieces to the proposal. The first is to clarify in statute when the Commission considers an application to assign or transfer—transfer or sublease an offshore oil and gas lease to clarify conditions that the Commission can consider when assessing that application, including whether the proposed lessee or transferee has experience with decommissioning, is financially capable of complying with the provisions in the existing lease and with the decommissioning requirements, and defining what a transferee or assignee is.

This is similar to legislation that was passed in a bipartisan way in the legislature a couple years ago, but was unfortunately vetoed, because it was deemed to be authority that the Commission already had. But in light of over the past couple years with high profile bankruptcies with big operators, we think it is especially
important to revisit this issue.

The second component of the legislation is to clarify when decommissioning accrual -- decommissioning responsibilities accrue and liability for operators when a lease has been transferred. And what we propose to do is to pull into State statute some of what's in federal regulations that assign responsibility to past lessees and operators.

So even if a lease is later transferred, those who have already been benefiting from the production, it clarifies that they are responsible for those decommissioning costs, and all the financial responsibilities that come along with that.

CHAIRPERSON KOUNALAKIS: Okay. Any -- Commissioner Yee, you want to jump in?

COMMISSIONER YEE: Absolutely.

(Laughter.)

COMMISSIONER YEE: This Commission has really taken a lot of leadership on this front. And I think certainly with the steadfast commitment and dedication to this Commission with respect to protecting against any further offshore oil extraction drilling and the like. This just seems to be the next best step.

But more importantly, this is really necessary to protect the State's interests. And we're -- we've been so
proactive, and at the same time, I think we can bolster certainly the tools that we have at our disposal to be sure that we -- at every turn, we do run into some surprises at times with respect to taking on this role. But this, I think, is just really going to bolster our ability to be sure that we do protect the State's interests financially and otherwise.

CHAIRPERSON KOUNALAKIS: Yes.

ACTING COMMISSIONER WONG-HERNANDEZ: We will abstain again, but I needed to make a comment. I wanted to really commend staff on trying to bring some sound fiscal policy and to really look at ways that we can strengthen our position and protect the State.

To Commissioners Yee's point, this -- it's too bad that we're having to do this at this point. And I know that a lot of it is clarifying, but I think that this makes a lot of sense.

CHAIRPERSON KOUNALAKIS: Yeah. And I'll just chime in as well. There is just tremendous concern in the public about the possibility of expanded offshore drilling. And part of the reason is because of the legacy activity that's been going on, and the kinds of circumstances that what this item is attempting to avoid in the future. So it's very difficult work, and I commend the staff for getting us to where we are and moving this
forward. So thank you.

Okay. Did we have anything else from staff?

EXECUTIVE OFFICER LUCCHESI: No.

CHAIRPERSON KOUNALAKIS: All right.

Public comment?

Seeing none.

Motion?

COMMISSIONER YEE: So moved.

CHAIRPERSON KOUNALAKIS: I will second.

And can we have a roll call vote?

EXECUTIVE OFFICER LUCCHESI: Commissioner Yee?

COMMISSIONER YEE: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Wong-Hernandez?

ACTING COMMISSIONER WONG-HERNANDEZ: Not voting.

EXECUTIVE OFFICER LUCCHESI: And Madam Chair?

CHAIRPERSON KOUNALAKIS: Aye.

EXECUTIVE OFFICER LUCCHESI: Great. The motion passes 2 to 0, with one abstention.

CHAIRPERSON KOUNALAKIS: Thank you.

Item 84 is to consider supporting federal legislation addressing offshore oil and gas operations in federal waters.

May we have the presentation.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
PEMBERTON: Yes. Thank you, Madam Chair and
Commissioners. Item 84 recommends that the Commission
support two pieces of recently introduced federal
legislation that would prohibit any new offshore oil and
gas development in federal waters offshore California's
coast or the Oregon and Washington coast. They are HR 310
by Congress Member Jared Huffman, and HR 279 by Congress
Member Carbajal.

And they would prohibit any new production in
federal waters. In the past couple decades, the
Commission has consistently opposed any proposals to have
new offshore oil and gas development in federal waters,
because of the risks to California's coastline and
environment. So we recommend that the Commission support
this legislation.

I also just wanted to point out this follows last
year the Department of Interior issued a new leasing
program -- or a draft program planned for new leasing
offshore in federal waters that proposed opening up the
Pacific region coast and other offshore areas of the
nation for new development. And the Commission, at that
time, strenuously opposed that proposal. And while it's
still not finalized and we don't know if ultimately the
plan will include the Pacific region, we think it's
important for the Commission to weigh in and memorialize
its opposition to new federal offshore drilling by supporting these two bills.

CHAIRPERSON KOUNALAKIS: So I think it's very important that the Commission weigh in as well, but why don't we start with the other Commissioners. Commissioner Yee any other comment?

COMMISSIONER YEE: I think we're on the same page, Madam Chair. Thank you.

(Laughter.)

ACTING COMMISSIONER WONG-HERNANDEZ: We're on the same page as well. I mean, this is -- it seems like the next extension of what we requested and said in a really strongly worded unanimous letter this time last year.

CHAIRPERSON KOUNALAKIS: That's right. It's just incredibly important that we reflect and advocate for the very strong sentiment of the people of this state who are by and large just overwhelmingly against expanded offshore drilling.

I think it's important to note that the federal administration has already blocked Florida from this kind of thing, but California, in their mind, is game, or it's open. So we need to send at every possible level the strongest message, that this is not in the interest of California. It is not wanted by the people of California. And so I'm -- I guess we can go ahead and have a motion.
COMMISSIONER YEE: Yes. So moved.
CHAIRPERSON KOUNALAKIS: Second.
Are you also --
ACTING COMMISSIONER WONG-HERNANDEZ: No, we'll vote. We don't have the opportunity to consider these.
CHAIRPERSON KOUNALAKIS: All right. So any objection?
All right. Then a unanimous vote. Motion carries. Thank you.
All right. Director Lucchesi, what is the next order of business?
EXECUTIVE OFFICER LUCCHESI: The next order of business is general public comment. And we have a number of speakers that wish to speak during public comment at this time
CHAIRPERSON KOUNALAKIS: Okay. I'm going to call you to the podium. I believe this is in the order that we received the slips, but we do our best here, starting with Jennifer Savage, California Policy Manager for Surfrider. And after Jennifer is Dominic Gulli.
EXECUTIVE OFFICER LUCCHESI: And I believe Jennifer has already left, so we might want to start with Dominick.
CHAIRPERSON KOUNALAKIS: Oh, okay.
EXECUTIVE OFFICER LUCCHESI: I am not seeing her
in the audience right now.

CHAIRPERSON KOUNALAKIS: All right. Dominick Gulli, civil engineer, the public trust. Welcome.

MR. GULLI: Yeah. My name is Dominick Gulli. I'm a licensed engineer and a licensed surveyor in the state of California. I'm here on behalf of Save Dad's Point.

It's a website that I developed. Dad's Point is currently planned. You guys are going to be considering a lease for Dad's Point to build a dam across the original bed of the San Joaquin River. It's called the Smith Canal Gate. It's down in Stockton. And I believe it's against the public trust. There's numerous public trusts. One is navigation.

We have a disadvantaged community down in Stockton. We have a fee boat ramp right at Dad's Point. Right now, they can go out, boom they're on the Delta. With this gate, they're going to go out, and have to go over and go through a 50 foot opening in a gate with significantly more dangerous to monitor boats. So it's on behalf of -- navigation is a Public Trust, and I think it's -- you should not grant the lease to them for that.

Recreation. Dad's Point is a peninsula. It's a remnant from when they dug the Stockton Deep Water Ship Channel. It actually used to be part of Rough and Ready
Island. Now, it's peninsula. It has a fire pit on the end, a walking path. It's available for bank fishing, swimming, walking. And almost any time you go there, you'll see herrings -- blue herrings, snowy egrets, lots of wildlife on there. It's going to be converted to a federal levee with riprap on both sides and a dam at the end, steel.

Commerce is affected by this project. This Stockton Deep Water Ship Channel some day is going to be deepened so that we can get bigger ships up there with more products coming into the Port of Stockton, which is a very advantageous port, because you don't have to deal with all the Bay Area traffic. Boom, it's there. It's on the train, it's on a plane, or it goes down onto trucks. So the Stockton Port is going to be affected. This deep water ship channel, which was conveyed from the State Lands to the federal government for that purpose. That's going to be recreation, commerce, and the fish and wildlife. The 50-foot opening is going to affect water quality. It just will.

Not as much water. Right now, there's 240-acre feet. It's tidal, three feet flows in, three feet flows out every single day twice a day.

So I think -- I believe it's going to be on your agenda to approve this lease coming up in April. There is
a very viable alternate to just fix the levees up along
the Smith Canal. It's just a canal. It's a drainage
canal. You can fix the levees. They're pretty good
leves right now. So there is an alternate to building a
steel gate within the original bed of the San Joaquin
River that's going to affect the Public Trust.

Thank you. Any questions?

CHAIRPERSON KOUNALAKIS: Any questions?

Director Lucchesi, do you want to respond?

EXECUTIVE OFFICER LUCCHESI: Yeah. I will just
respond by saying thank you very much for coming to our
meeting and expressing your concerns and your comments.
We do have an application for this project pending. And
what I'd like to suggest is that you talk with our
Assistant Chief of Land Management, Grace, or our Chief of
Land Management, Brian, so that they can both get your
contact information, and also get additional materials
about your thoughts on this project, so we can follow up
appropriately.

MR. GULLI: Yeah. Thank you. And I've been
dealing with Emma Kennedy as well, to provide me some
information.

EXECUTIVE OFFICER LUCCHESI: Oh, great.

MR. GULLI: I have provided information. And I
just -- along with your strategic goals up there, one of
the goals was to engage the public to protect the Trust. And I appreciate that. And unfortunately, I mean, I'm taking it on, because I can. But the agency -- so I'd really like to see -- and please do not put it on your consent agenda when it comes up to issue a lease for this, because it's a big thing.

The other thing I saw on the slide was that dam that you're taking out -- I think it was called the -- anyway, the dam that you're taking out of the river.

EXECUTIVE OFFICER LUCCHESI: Dennett Dam.

MR. GULLI: I mean this would be terrible to have to take this double steel sheet pile wall dam out into the future, if it does become a problem with water quality, which I'm fairly confident it will. I'm an expert in hydrodynamics.

So thank you.

EXECUTIVE OFFICER LUCCHESI: Thank you.

CHAIRPERSON KOUNALAKIS: Thank you very much.

EXECUTIVE OFFICER LUCCHESI: They will raise their hand back there so you can follow up with them.

Thank you.

CHAIRPERSON KOUNALAKIS: Okay. We have several speakers on Docktown. The first -- and it looks like Ed Stancil, is that right? It's a little hard to make this
out.

    MR. STANCIL: I'd like to go after.

CHAIRPERSON KOUNALAKIS: Oh, okay.

Alison Madden representing San Francisco Bay
Marinas For All.

    MS. MADDEN: Good afternoon. Congratulations.

    And we've been speaking on this for a couple
years now. And it's something that is very important to
us. We've come many times. And this is respecting
probably a dozen households that are left out of what was
a very highly dense liveaboard marina. And at this point,
we feel that it's consistent with the State Lands
Commission's policy for safety and security of marinas.

    And we came and spoke in Sonoma. And with much
very due respect, Commissioner Yee noted that the State
Lands Commission's role is very limited. But what we've
been trying to say all along is that it's really not.
It's kind of 100 percent driven what's going on by the
advice and direction of the State Lands Commission.

    And right now, we're in unlawful detainer
proceedings. We're being evicted. We have a procedural
issue on a petition for review to the Supreme Court. And
it makes even attorney lies glaze over, so I won't go into
what that procedural issue is. But if the Supreme Court
doesn't hear it within the next few weeks, we're back down
into giving our answer with affirmative defenses that go
to the right of possession, that say that we think the
Council of Redwood City doesn't have jurisdiction. It's
the Port Department. And the Port has always been the
reporting body to the State Lands Commission.

So we have a lot ahead of us. We have a trial.
We're exposed to attorney's fees and eviction. And right
now, the people that are left are elderly, disabled,
single-working parents. One person who recently left has
a disabled son that's living in an RV in a Kmart parking
lot. We have veterans living in RVs. We have a couple
living in a shelter.

And right now, we feel that this percentage of
people down there qualifies for the State Lands Commission
Safety and Security Policy. It's often stated as two to
four percent. Ten percent was given down in Huntington
Beach, which is being sued by the State for having no
affordable housing. Probably that ten percent is the only
affordable housing Huntington Beach has.

Recently, the Mayor wrote a letter -- well, it
was November of 2018, and Ms. Lucchesi responded on
January 29th, and we feel in a very encouraging manner,
which she had two pathways. One is the safety and
security, and one is legislation. We feel that the Safety
and Security Policy is enough to cover the people that are
left to not be evicted. These are not barges. They're not fixed foundation floating homes. They are remaining vessels.

Twenty million has been spent by Redwood City already. This never needed to happen on such a quick time frame. There was a lawsuit. I can see an interested -- I'm very happy -- and interested look.

And what I'd like to say is that there are all these State agencies talking to each other. And it takes years to talk about this kind of thing. And there was a lawsuit brought on a very short time frame that said kick all of these people out within a year or two. The attorney got paid $1.5 million, and the rest of us, you know, got the boot. The $20 million went to the big barge homes. So there's much here. I've sent emails. I've got emails -- a packet of emails here.

And also what I'd like to say is what I said in one of the emails is what about us? No one is talking to us.

CHAIRPERSON KOUNALAKIS: Staff response. Should we hear from everyone?

EXECUTIVE OFFICER LUCCHESI: I recommend that we hear from everybody, and I'm happy to provide a response.

CHAIRPERSON KOUNALAKIS: All right. Okay. Thank you very much for coming down today. Why don't you go
ahead and leave the materials with the staff.

Thank you. Okay. Ed, how do you say your last name? It's --

MR. STANCIL: Stancil.

CHAIRPERSON KOUNALAKIS: Stancil.

MR. STANCIL: Edward Stancil, yeah.

CHAIRPERSON KOUNALAKIS: Welcome.

MR. STANCIL: So my background. I was born and raised in Chili Bar. It's on the South Fork of the American River, seven miles upstream from Coloma, where gold was discovered. I went away to college. I lived in Redwood -- or not Redwood City, but actually Sacramento.

And that was one place that I didn't have a waterfront home or lived on the water. I moved -- I graduated from ARC, went to UOP, lived at Smith Slough, which this guy is trying to protect. We had a house right there. It was a student house, and it's still a student house today.

Anyway, I'm a member of Docktown community. I've been there since 1996, and I have a house that's paid in Silicon Valley. We clean up the creek. We take care of everything. We take care of boaters that come by lost. They're out of gas. There's not a gas pump anywhere within 20 miles. We'll get our tanks out and go fill them.
up, so that they can get back to Oakland of wherever they come in. They're like, "Oh, how did we get here", right?

So there's a lot that we provide. We offer access to everybody. We don't have gates on our docks. We don't have key passes on our docks. And if you want to walk down to the dock and put your feet in the water, or launch your kayak, we have a free ramp to do that, and also access to the water.

Redwood City has just lied to us and -- over and over again. And it's just unbelievable. They've extended their extension on their elections, so we couldn't even have a referendum or recall because there was no election for 18 months while they're kicking us out.

They came up with the Docktown plan, where we have to sign off our rights to go ahead and receive benefits, but they're not relocating us, okay, because -- they're not relocating us. They hired a relocation company, but we are not entitled to re -- CRAL, California Relocation Act money, because where they're just settling a lawsuit and removing all the residents.

Well, we're fighting for our home. It's paid for. They're nice. It's -- we're a very small footprint, and we'd like to stay. The two percent, or four percent, or ten percent, it's -- we're so far out of BCDC.

And the other problem is that Redwood City
earlier on has tubed the whole creek and used it as a sewage for 50 years, or more. Right behind is called Poop Lagoon, because it's where they dumped the poop when it rained. Okay.

But since they've cleaned it up now, we have to go. So anyway, we really need your help, and we need not to be evicted from our homes until at least we get our day in court.

Thank you.

CHAIRPERSON KOUNALAKIS: Thank you very much for coming down.

Emilio Diaz.

MR. DIAZ: Hello. I'm a resident -- hello. Hi, everybody.

I'm a resident of Docktown. I -- in the seventies when I built my boat, after, you know, going -- serving in the Marine Corps and serving in Vietnam '65 to '66, veteran, I built this boat in Alviso back in the seventies. And in '98, I started living aboard in Docktown. I've been there for like over 20 years. And I thought it was a good idea, you know, building a boat, living on the boat, living on the water. Nice.

Well, it's a whole different world now. There is very few places where you can go and live, especially in the Bay. So there's not many options. There used to be.
It used to be -- I think old maritime law was you could put your boat in the creek, and as long as you came along about every 30 days and looked at it and made sure it was okay, that was the law.

And now it's like, BCDC says they're landfill. Docks and boats are landfill. Come on. That should be against the law, even their jurisdiction over that.

And so where am I going to go?

Thank you.

CHAIRPERSON KOUNALAKIS: Thank you for coming down.

Dan -- okay. Whoever the handwriting on the thing --

MR. SLANKER: Slanker.

CHAIRPERSON KOUNALAKIS: Thank you.

Dan Slanker. Thank you.

MR. SLANKER: Yeah, Slanker. Thank you.

Good morning. My name is Dan Slanker, President of the Redwood Creek Association of Docktown. I've got my Docktown shirt on here. Found in 1954. So Docktown has been around for quite awhile. And thank you for letting be here to speak. I certainly appreciate it.

I'm here to speak about Docktown. I'm glad to see that affordable housing has made its way to the top of the campaigns recently. Not that Docktown is all about
affordable housing, but it certainly is. And it has been
and still is a wonderful community.

Displacement is an awful thing. In fact, it has
been said that it's only second to loss of a loved one.
And I can speak for that truly.

Sorry.

I've been involved rather heavily with attempting
to save Docktown community for the last three years. It
should never have been a quick action of closure. After
all, Docktown has been here for over 60 years. A year or
more back, I was speaking with one of the city officials,
probably one of the best there to speak with. And it's
odd how small statements can really strike you. The
statement was that some of the individuals at Docktown
needed to be more responsible.

That statement was maybe immediately in context.

Okay. But as far as it was also slightly related to a
Latino lady - bless her heart - that lived there. And it
was unbeknownst at the time working two jobs. And while
she was making it and living on her own there, she was
traumatically stressed by the possibility of losing her
home.

She's now homeless, along with half a dozen other
or more former Docktown residents, including veterans, and
mothers with disabled children and seniors.
So I guess what I'm pointing out is about responsibility and communication. I don't think it was Kamala Harris, or Gavin Newsom's, or SLC's intent to evict people, or make people homeless over policy, especially policy -- living policy that's changing and fluid. We are currently under a UD at Docktown, and very much so in the eviction process.

Please stop the evictions. Actions speak louder than words. Please respond and follow up immediately with the city to clarify to the Mayor Bain, that this is truly not SLC's intent to evict people.

Time is of the essence. It's -- our local lawyer that has held us -- so far saved us at this point -- the remaining residents from eviction. It is a fast process, and there's no time to waste.

It is your responsibility to clarify that it is not the State Lands' intent to evict people. Of course -- if that is your intent. Perhaps, those that have been made homeless by the policy or the misinterpretation of the policy's lack of intent, or clarification of intent, or whatever it might be, could be apologized to also.

I know that all of you have difficult jobs, but I urge you to treat this with the assistance that it deserves.

Thank you sincerely.
CHAIRPERSON KOUNALAKIS: Thank you very much. I have one more speaker on this. If anyone else would like to speak on this or any issue, please give a slip to staff.

Mary Bernier a volunteer with Interfaith Peace Coalition.

MS. BERNIER: Thank you very much. Welcome. We read about you. You did good work, and obviously, Commissioner Yee and Commissioner Hernandez.

So I'm speaking -- following up my brothers and sister with Docktown. I used to live there myself. However, I'm going to be speaking a little bit for our community low-income in Redwood City. I've got a packet for -- of photographs of the beautiful big floating homes that the city bought for $20 million, basically what was said already.

And after they bought them -- this was November -- all of them together in 2017, we then -- while they were telling owners that they were going to subtract 60,000 for demolition of the homes. And the homes are beautiful.

And by January, February, they weren't going to demolish anymore, but it was very unclear what they were going to do. So I came to different City Council meetings and to your meeting, especially June 21st, with the
posters showing these beautiful homes, and saying, please
don't demolish them. Please allow them to remain. I
can't remember, I didn't have time to check, but I think
by June 21st I was not asking for low-income housing any
more. I don't mean to say my. Our little tiny Interfaith
Peace Coalition. We were just asking that the nonprofits
be able to use those homes for desperately needed office
space and space to continue their programs.

There was a -- obviously, a great need. There
was a report that was put out in November of last year, a
couple months ago, displacement of nonprofits in San Mateo
County.

It's especially the low in -- the nonprofits
serving our low-income community, that if they can't
afford their rent anymore, they're gone, and the services
they were providing won't be there any more.

So I've got to really speed this up.

Our city council, I wanted to say this -- because
Mayor Bain, wherever you are, you're probably watching
this. He asked you to please tell us, you know, that this
wasn't possible. But he has been saying it's illegal for
the nonprofits to use the housing. And that isn't really
so. When he wrote a letter to you -- and thank you so much
for responding -- it took five months for him to write this
letter. June 21st, I immediately found him that night and
told him that State Lands Commission had said that, you know, it was up to the city what would happen, and State Lands would be willing to work with him -- with the city council.

And so why it would take him five months to write a letter. And in the letter to you, he never asked if the nonprofits could use the home -- the homes. He only focused on using the homes for housing.

So he wrote back here, "Additionally..." -- this is to myself. Mary, blah, blah. "...I have discussed with our staff whether any of the barge-based dwellings could be used for nonprofit or retail purposes, but unfortunately, none of the structures are not built for such purposes".

So we're just asking that, you know, please allow someone besides the staff that's under incredible pressures we don't understand. Our city council people are good. The Mayor is a good guy, but this is very odd behavior that they won't allow the nonprofits to participate. I say -- there was never even a discussion. They're in due diligence. It doesn't make sense.

Thank you.

CHAIRPERSON KOUNALAKIS: Thank you very much.

Thank you.

EXECUTIVE OFFICER LUCCHESI: Okay.
CHAIRPERSON KOUNALAKIS: Staff.

EXECUTIVE OFFICER LUCCHESI: Yes, of course.

This is obviously a very sensitive and hard issue and has
been for the Commission for many years, and obviously not
as hard as it is for the residents of Docktown and what
they have been going through over the past couple of
years.

I want to say a couple of things, and then I'm
actually going to pass it on to Deputy Attorney General
Andrew Vogel for a little bit more explanation on the
legal issues associated with this.

First and foremost, this is a legal issue, and
not a policy issue. It's not a -- the policy of the State
Lands Commission not to allow residential use of sovereign
Public Trust lands. That is a legal issue that Andrew can
speak to more articulately.

I do want to provide a little bit of background,
because this has been an issue that the Commission has --
and staff have talked about for many years at meetings
such as this. Where Docktown is located within Redwood
City is under a grant -- a legislative trust grant, where
the legislature has transferred the State's ownership to
the local municipality to manage, pursuant to certain
statutes, and under the umbrella of the Public Trust
Doctrine.
And what that means is the City of Redwood City has the responsibility and the authority to manage those lands on a day-to-day basis. They issue the leases. They manage the lands. Similar to the way the Commission manages its lands under its direct jurisdiction.

The State Lands Commission has oversight authority, but no direct approval or discretionary action authority over the actions of the City of Redwood City.

In January of 2016, the Commission staff wrote a letter to the City in response to the City's Draft EIR for a Proposed Inner Harbor Specific Plan. And that plan contained a project alternative that included the expansion of the residential component of the Docktown Marina. And it was at that time that staff submitted a comment letter and advised the City, in our advisory role, that residential use of Public Trust Lands is not consistent with the law.

And based on that, the City then embarked on a number of different actions to come into compliance with their granting statutes and the Public Trust Doctrine. To provide the legal foundation for this conclusion, the Commission also waived its privilege of attorney-client confidentiality and disclosed Deputy Attorney General Andrew Vogel's advice letter dated from 2015. And this legal advice letter is relevant to addressing the issues
that were raised today, because again this is a legal
issue, not a policy decision.

And so the one other background I do want to
mention is that there was a moment in the recent history a
couple years ago where the Commission and Commission staff
worked closely with Docktown residents and the local State
legislators at the time to draft legislation that would
especially allow a transitionary period for the
responsible transition of Docktown from being a
residential liveaboard focused marina, and over a period
of 10 to 15 years responsibly transfer and convert it into
a more traditional marina.

And unfortunately, that legislation was -- did
not get off the ground and move forward for a variety of
reasons. However, we -- I want to ensure the Commission
that we have been very sensitive and solution oriented to
trying to address the situation at Docktown in a way that
still stays within the parameters of the law, and is
consistent with our overarching principles.

And I will say that the letter that I sent to
Mayor Bain outlines exactly what I just said. But we also
acknowledge that this is a very difficult time in
California in regards to housing, and affordable housing,
low-income housing. And we're not -- we're not blind to
that issue.
However, the fact is that these sovereign Public Trust Lands are uniquely protected for the benefit of all the people of California. And residential use is not one of the uses that is appropriate for these types of lands. And so that's the principle that guides the Commission staff and the Attorney General's office.

And so with that, if you don't have an objection, Madam Chair, I'll turn it over to Andrew to hopefully emphasize and highlight what I just mentioned.

DEPUTY ATTORNEY GENERAL VOGEL: Certainly I will could so. Jennifer covered the issue very, very comprehensively and very well. So some of what I might say might overlap with what she had. But I would like to reiterate the point that there's a difference between whether residential use of houseboats and liveaboards on granted lands is good policy, in light of California's issues with affordable housing on the one hand, and on the other hand whether it's allowable under the law.

Now, our office became involved, as Jennifer mentioned, when State Lands came to us and said -- asked for our advice on whether residential houseboat use is consistent with both the Public Trust and Redwood City's own granting statutes.

And as Jennifer mentioned, the advice we gave was made public. And that advice was that residential
houseboat use is not consistent with either the Public Trust or the granting statutes. And as Jennifer pointed out, one of the common threads throughout Public Trust law, which does go back quite awhile, and a common thread through the Redwood City granting statutes is that Public Trust Lands and granted Public Trust Lands have to be managed in a way that is -- that maximizes their benefit for the people of California, and not just for people in a particular locality.

So Public Trust law does go back years, decades, even longer. We looked at the issue. And while Public Trust law has expanded somewhat from its original origins in navigation, and commerce, and fishery, and supporting those uses, the California Supreme Court has said it's flexible enough to encompass uses such as preservation of Public Trust Lands for recreational value and conservation value. But at no time over the decades of Public Trust law's development has any court in California ever said that residential use is a Public Trust use.

So that's the state of the law under the Public Trust as we see it. And that's the advice that we gave to the State Lands Commission and which has been made public.

If there are any other questions on that, I'm happy to answer.

CHAIRPERSON KOUNALAKIS: Commissioner Yee.
COMMISSIONER YEE: Thank you, Madam Chair.

Jennifer or Andrew, could you comment on the point that was raised about the safety and security provision, and its application or relevance to this situation.

DEPUTY ATTORNEY GENERAL VOGEL: Yes. We covered this a bit in the advice letter that was made public. But there have been certain instances where a very small number of liveaboards have been authorized for temporary use in a safety and security capacity. But they -- that's happened under very particular conditions, typically where the allowed residential use is part of a broader area plan, where the residential use, as I mentioned, is temporary and limited in number. And so we looked at that issue as well in the context of Redwood City, and didn't see those same conditions here.

CHAIRPERSON KOUNALAKIS: Thank you.

Commissioner Hernandez, did you have something?

I have a question. So when the legislative process was attempted, what you're saying is that the only way for any kind of an extension, or transition period, to be approved would not be by intervention by this Board, but could only happen at the legislative level, is that right?

EXECUTIVE OFFICER LUCCHESI: That's correct.

CHAIRPERSON KOUNALAKIS: Okay. We have one --
what is our policy? One of the speakers has another comment. Can I let her -- why don't you come on back.

Look, I have to tell you, I think that you're absolutely right, Director Lucchesi, that in this current environment when we're talking about the housing crisis in this state, anytime we're talking about actions that affect people and their status in having a roof over their head, even if it's a roof of a boat, we need to really be very, very careful. I mean, these are people's lives. The options that people once had to be able to find another place to live are just -- they just don't exist.

Go ahead. Can you state your name again for the record?

MS. MADDEN: Yes. My name is Alison Madden. And the reason I asked to speak is under the Brown Act, typically we'd just give public comment and there wouldn't be discussion. But I'm actually very grateful that the discussion is happening. And so we get three minutes every three months, you know. So I think it's pretty fair.

Also, on your consent calendar today with Stockton, it has ten liveaboards for safety and security. You re-upped a lease on your consent calendar today that has ten liveaboards. And I don't understand how, with all due respect, the Deputy Attorney General can say he made
the decision for Redwood City that the dozen of us down there are not proper and appropriate.

CHAIRPERSON KOUNALAKIS: So can we have a response to that?

EXECUTIVE OFFICER LUCCHESI: Yes. The item that was on the consent agenda regarding the Stockton marina - I can't think of the applicant's full name - that was for a revision of rent. So it was a lease that was issued a number of years ago. But it also -- it's a marina that includes 176 berths. And ten of those hundred -- are -- are allowed for security purposes.

And so, as Andrew was mentioning, there is a very specific process that we go through to reconcile the applicants -- and this is on lands that we directly manage, reconcile the applicant's needs for security, and whether those can be accomplished through residential use.

And we go through that very detailed analysis to ensure that we remain true to the principle of the Public Trust Doctrine, and that there is -- the purpose is not necessarily to provide residential use, but the purpose is to provide security for the marina. And that can be accomplished in this very limited circumstance of allowing for on-site liveaboards to accomplish that.

And so ten berths out of 176 is much less than ten percent. And that has been something that the
Commission, on a case-by-case basis, for lands we directly
manage, has engaged on. It's a -- like --

CHAIRPERSON KOUNALAKIS: Who lives in those ten
berths? Are they security officers? Are they --
EXECUTIVE OFFICER LUCCHESI: They are -- they
aren't official security officers, but they are tasked
with the actual duties of providing security, and -- for
the marina, yes.

MS. MADDEN: We were not involved in this very
rigorous process and neither was Redwood City. This has
just -- Deputy Attorney General Vogel just told you that
they made a determination for Redwood City that it's not
appropriate. We are -- we're the ones providing security.
The docks aren't locked. The gangways access aren't
locked. It's near Highway 101. There's an itinerant
community. They are coming and breaking into the barges
that were sold for 20 million. We're calling the police,
the DPW. We are the security.

I've been to Aloe Harbor at Stockton. It's a
nicer newer marina. It's had liveaboards the whole time.

CHAIRPERSON KOUNALAKIS: We -- I hear you.

MS. MADDEN: They're ordinary just like us.

CHAIRPERSON KOUNALAKIS: I hear you. I hear you.

Thank you. I want to -- not -- I'm glad you came back to
give us a little more information, but I think I want to
turn it over to the Director now.

EXECUTIVE OFFICER LUCCHESI: Yeah. And I --

dthis -- because we're in a situation that these are

granted Public Trust Lands, the Commission does not have

any discretionary authority to dictate to the City of

Redwood City what to do or not do. I will say in my

January 29th letter that as part of that, I did reference

to the City, and implore them, that if they did have a

specific detailed proposal regarding a security plan that

the Commission staff would be happy to review that.

But I will say again --

CHAIRPERSON KOUNALAKIS: But it would have to

come from the City?

EXECUTIVE OFFICER LUCCHESI: It has to come from

the City.

CHAIRPERSON KOUNALAKIS: All right.

EXECUTIVE OFFICER LUCCHESI: And allowing --

again, allowing the -- it's not a formulaic approach that

it's automatic. The entire 13 remaining residents --

residents can stay for security purposes. It's a process

that we analyze and go through to really again stay true

to the law, and ensure the overriding purpose is for

security and not for other purposes.

CHAIRPERSON KOUNALAKIS: Okay. Let me just say

I'm knew, but this has obviously been something that has
been dealt with at the -- at Commission level for many,
many years. And I am satisfied that staff has done
everything they possibly can do to look at all sides of
this.

But it does sound as there's still
opportunity for you to work within the city to look at
other alternatives. So you may want to do that.

MR. STANCIL: One final comment. I'm sorry.

CHAIRPERSON KOUNALAKIS: All right. But
that's -- then we're going to keep moving through the
agenda.

MR. STANCIL: The problem we're having is that --

CHAIRPERSON KOUNALAKIS: Identify yourself. Take
the podium.

MR. STANCIL: Edward Stancil once again, and a
Docktown resident. The problem we're having is, is that
the City is acting on it as if you guys have already made
a decision with a date and a number that no liveaboards in
Redwood City will ever be allowed.

And when he gives the -- when he gives the -- an
opinion, that is not -- that's just an opinion, that --
and you can't -- it's informal advice.

And the City were giving high fives at the
Berkeley meeting, the city manager and the other guy,
because they killed the 30-year extension to our lease.
So we're being totally railroaded out of the community, not only out of San Mateo County, but probably 12 counties around it.

MS. MADDEN: Actually, we are going to go. I want -- you know what I want to say, there are liveaboards at seven marinas in Redwood City, because the BCDC allows 10 percent. So let me tell you, the State Lands Commission before has taken out of the Public Trust or given Public Trust title to developers who have an inner harbor at Blue Harbor. They can have them. Inner harbor at Bair Island they do have them. A ten acre lake paid for by the federal taxpayers, they can have them. Ferrari Pond, which was made by the Ferrari familiar up -- it's private title. They can have them.

Mark Sanders who's a billionaire, and that's the reason BCDC is being audited right, he can have them. Municipal, which has just recently got approved by BCDC for ten percent, they can have them. Redwood Landing has a way old BCDC permit. They can have them.

Everywhere in Redwood City can have ten percent liveaboards, except our tiny --

CHAIRPERSON KOUNALAKIS: And it sounds --

MS. MADDEN: -- our tiny stretch of creek.

CHAIRPERSON KOUNALAKIS: -- it sounds like this has to go, process-wise, through the city to us.
MS. MADDEN: I'm very happy to hear that you guys are open to it, that it hasn't been decided, and we will work with the City. This is what we wanted. I agree --

CHAIRPERSON KOUNALAKIS: What was the date on the letter that you sent?

EXECUTIVE OFFICER LUCCHESI: January 29th of this year.

CHAIRPERSON KOUNALAKIS: Okay.

MS. MADDEN: Thank you so much.

CHAIRPERSON KOUNALAKIS: All right. Thank you.

Commissioner Yee.

COMMISSIONER YEE: Thank you, Madam Chair. I want to just thank the residents for coming before the Commission again. And I really -- I can appreciate the frustration and certainly the untenable situation that you're in.

I want to go back to the legislative route for a moment, because I don't think that should be lost. You know, to the extent that this Commission's hands are tied -- and I know you enumerated a number of situations where liveaboards were allowed for security purposes or otherwise, but those are lands that are, you know, granted to those jurisdictions.

This is really properly before the City. And if they can come up with a plan, as you've heard, that can
really demonstrate that you're staying where you are is 
consistent with their granting statutes, you know, 
obviously, we will respect that. 

But I want to just saying something about the 
legislation, because this is a point that I really need to 
say. You all were kind of screwed when the legislation 
and the legislative efforts took place. You had a lot of 
loud -- more vocal residents of Docktown, who probably 
didn't even live there at the time, that owned properties 
there, that pretty much undermined the whole legislative 
effort. And I'm just going to put this on record, because 
now you're living with the consequences. 

And Senator Hill, at the time, tried to fashion 
a -- an agreement. We could have extended the period of 
time or transition period for you to stay there. I would 
urge you to engage Senator Hill again and try to have him 
help you work with the City on fashioning an outcome. 

I meant what I said when I said our jurisdiction 
is limited. It is limited, because these are not lands 
that are under our jurisdiction. They're granted to the 
City of Redwood City. But I'm -- this is a very 
unfortunate situation. But to the extent that you pursue 
legislation, again I would encourage you to contact 
Senator Hill. He's aware of the situation. And to the 
extent that now he's dealing with a very small number of
vocal residents, I would hope that when he looks at what's available with respect to how the State can help in other ways, besides just through looking at how he can work with the city, housing is absolutely a priority of this administration, of this Legislature. To the extent there are other means that we can provide assistance, in terms of whether you stay there or transition, I just think that the time is right now to engage the Legislature again.

Thank you.

CHAIRPERSON KOUNALAKIS: Okay. Anymore -- anything else from staff?

EXECUTIVE OFFICER LUCCHESI: Not at this time.

CHAIRPERSON KOUNALAKIS: Do any of the Commissioners have any additional comments or questions?

All right. Thank you, members of the community for coming and speaking here today. Thank you for the warm welcome, as my first public portion of serving as your Chair has now concluded, and we will now adjourn into closed session. Will the public please clear the room?

Thank you very much.

(Off record: 12:15 p.m.)

(Thereupon a discussion occurred off the record.)

(Thereupon the meeting recessed into closed session.)

(Thereupon the meeting reconvened)
open session.)

(On record: 12:41 p.m.)

CHAIRPERSON KOUNALAKIS: I hereby call this
meeting back into order.

Director Lucchesi, is there anything to report
from closed session?

EXECUTIVE OFFICER LUCCHESI: No.

CHAIRPERSON KOUNALAKIS: All right then, that
concludes the open meeting.

We are adjourned.

(Thereupon the California State Lands
Commission meeting adjourned at 12:41 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 6th day of February, 2019.

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