

TELECONFERENCE MEETING

STATE OF CALIFORNIA

LANDS COMMISSION

OFFICE OF STATE CONTROLLER JOHN CHIANG  
300 CAPITOL MALL, SUITE 1850  
SACRAMENTO, CALIFORNIA

DEPARTMENT OF FINANCE  
STATE CAPITOL, ROOM 1145  
SACRAMENTO, CALIFORNIA

CALIFORNIA STATE LANDS COMMISSION  
MINERAL RESOURCES MANAGEMENT DIVISION  
200 OCEANGATE, 12TH FLOOR  
LONG BEACH, CALIFORNIA

CALIFORNIA STATE LANDS COMMISSION  
100 HOWE AVENUE, SUITE 100 SOUTH  
SACRAMENTO, CALIFORNIA

TUESDAY, SEPTEMBER 2, 2014

10:35 A.M.

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

A P P E A R A N C E S

COMMISSION MEMBERS:

Mr. John Chiang, State Controller

Mr. Gavin Newsom, Lieutenant Governor, represented by Mr. Kevin Schmidt

Mr. Michael Cohen, Director of Finance, represented by Ms. Eraina Ortega

STAFF:

Ms. Jennifer Lucchesi, Executive Officer

Mr. Dave Brown, Assistant Executive Officer

Mr. Mark Meier, Chief Counsel

Mr. Colin Connor, Assistant Chief, Land Management Division

ATTORNEY GENERAL:

Mr. Joe Rusconi, Deputy Attorney General

COMMISSIONER'S STAFF PRESENT:

Mr. Alan Gordon, Deputy Controller

ALSO PRESENT:

Mr. Milad Taghavi, Los Angeles Department of Water and Power

Mr. Dan Taylor, Audubon California

I N D E X

|   | PAGE |
|---|------|
| I 10:30 A.M. - OPEN SESSION   | 1    |
| II CONFIRMATION OF MINUTES FOR THE REGULAR MEETING OF AUGUST 15, 2014   | 2    |
| III EXECUTIVE OFFICER'S REPORT  | 3    |
| IV CONSENT CALENDAR C01<br>THE FOLLOWING ITEM IS CONSIDERED TO BE<br>NON-CONTROVERSIAL AND ARE SUBJECT TO CHANGE AT<br>ANY TIME UP TO THE DATE OF THE MEETING.  | 3    |
| LAND MANAGEMENT DIVISION  |      |
| C01 CITY OF LOS ANGELES DEPARTMENT OF WATER AND<br>POWER (LADWP) (APPLICANT): Consider application<br>for an Archaeological Investigation Permit for<br>survey, testing, and excavation of sites on<br>sovereign land located in the dry lake bed,<br>Owens Lake, Inyo County for Owens Lake Dust<br>Mitigation Program Phase 10. CEQA Consideration:<br>categorical exemption. (W 26779; RA# 27713)<br>(A 26; S 18) (Staff: D. Simpkin, P. Griggs)   |      |
| V REGULAR CALENDAR  |      |
| 02 CITY OF LOS ANGELES DEPARTMENT OF WATER<br>AND POWER (LADWP) (APPLICANT/LESSEE): Consider<br>an amendment to Lease No. PRC 8079.9, a General<br>Lease - Public Agency Use, for sovereign land<br>located in the dry lake bed, Owens Lake, Inyo<br>County; to authorize the use of tillage with<br>Best Available Control Measure backup on<br>approximately four square miles already under<br>lease with existing dust control measures.<br>CEQA Consideration: Addenda adopted by LADWP<br>and related Environmental Impact Reports<br>certified by the Great Basin Unified Air<br>Pollution Control District, State Clearinghouse<br>Nos. 2002111020 and 2007021127; Addendum and<br>related Mitigated Negative Declaration<br>prepared and adopted by LADWP, State<br>Clearinghouse No. 2005061068.<br>(WP 8079.9; RA# 01014)(A 26; S 18)<br>(Staff: D. Simpkin) | 4    |

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

|      |  |    |
|------|--|----|
| VI   | PUBLIC COMMENT   | 17 |
| VII  | COMMISSIONERS' COMMENTS  | 17 |
| VIII | CLOSED SESSION: AT ANY TIME DURING THE MEETING<br>THE COMMISSION MAY MEET IN A SESSION CLOSED TO<br>THE PUBLIC TO CONSIDER THE FOLLOWING PURSUANT TO<br>GOVERNMENT CODE SECTION 11126: |    |

A. LITIGATION.

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

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

United States v. California (1965)  
381 U.S. 139, No. 5 Original

Redwood Square Enterprises, LLC v.  
Standard Brands Paint Co. et al.

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

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

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

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

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

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

PAGE

San Francisco Baykeeper v. State Lands  
Commission

City of Los Angeles v. Great Basin  
Unified Air Pollution Control  
District et al.

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

California State Lands Commission v.  
Edward L. Clark Jr.

Keith Goddard v. State of California

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

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

1. Provide instructions to negotiators  
regarding entering into a new lease of  
state land for the Broad Beach  
Restoration Project, City of Malibu,  
Los Angeles County. Negotiating parties:  
Broad Beach Geologic Hazard Abatement  
District, State Lands Commission; Under  
negotiation: price and terms.

|                        |    |
|------------------------|----|
| Adjournment            | 17 |
| Reporter's Certificate | 18 |

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

2 CHAIRPERSON CHIANG: Well, good morning,  
3 everybody. I am John Chiang. And I call this meeting of  
4 the State Lands Commission to order. Jennifer, as this is  
5 a telephone conference meeting, will you call the roll of  
6 Commissioners in attendance, please?

7 EXECUTIVE OFFICER LUCCHESI: I sure will. Before  
8 I do that, Mr. Chairman, because we're doing a  
9 teleconference today, before each individual speaks,  
10 please identify yourself for the court reporter, so that  
11 he or she can be accurate in his transcription.

12 Also, while not speaking, I would recommend that  
13 the other offices keep their speaker phones on mute until  
14 wishing to speak as that will aid in clarity. I'd also,  
15 before calling roll, like to identify the members of the  
16 staff of the Commission and the Attorney General's office  
17 present on this telephonic meeting.

18 In Sacramento, at the Controller's Office is  
19 Controller Chiang and Deputy Controller Alan Gordon,  
20 Jennifer Lucchesi, Executive Officer, Colin Connor,  
21 Assistant Chief of the Land Management Division, and  
22 Deputy Attorney General Joe Rusconi is present.

23 In the Sacramento office -- excuse me, in the  
24 Sacramento -- in Sacramento at the Department of Finance  
25 office with Alternate Commissioner Eraina Ortega and

1 Alternate Commissioner Kevin Schmidt is Chief Counsel Mike  
2 Meier, Assistant Chief Counsel Pam Griggs, Jennifer DeLeon  
3 of our Environmental and Planning Unit, and Deputy  
4 Attorney General Susan Austin. In our Sacramento State  
5 Lands Commission office is Brian Bugsch, Cy Oggins, Sheri  
6 Pemberton, Dave Brown, Kim Lunetta, and the court  
7 reporter.

8 And finally, in our Long Beach office is Jeff  
9 Planck and Drew Simpkin.

10 And I'll call roll.

11 Chair Chiang?

12 CHAIRPERSON CHIANG: Good morning.

13 EXECUTIVE OFFICER LUCCHESI: Commissioner  
14 Alternate Schmidt?

15 ACTING COMMISSIONER SCHMIDT: Here.

16 EXECUTIVE OFFICER LUCCHESI: And Commissioner  
17 Alternate Ortega?

18 ACTING COMMISSIONER ORTEGA: Here.

19 EXECUTIVE OFFICER LUCCHESI: Great.

20 CHAIRPERSON CHIANG: Very good.

21 Okay. This first item of business will be the  
22 adoption of the minutes from the Commission's August 15th,  
23 2014 meeting. May I have a motion to approve the minutes,  
24 please?

25 ACTING COMMISSIONER ORTEGA: So moved. This is

1 Eraina. I'll move the minutes.

2 CHAIRPERSON CHIANG: We have a motion.

3 ACTING COMMISSIONER SCHMIDT: Kevin seconds.

4 CHAIRPERSON CHIANG: We have a second by Kevin.

5 Please take roll.

6 EXECUTIVE OFFICER LUCCHESI: Yes. Chair Chiang?

7 CHAIRPERSON CHIANG: Aye.

8 EXECUTIVE OFFICER LUCCHESI: Commissioner Ortega?

9 ACTING COMMISSIONER ORTEGA: Aye.

10 EXECUTIVE OFFICER LUCCHESI: Commissioner

11 Schmidt?

12 ACTING COMMISSIONER SCHMIDT: Aye.

13 CHAIRPERSON CHIANG: The motion passes.

14 The next order of business is the Executive  
15 Officer's report. Jennifer, may we have that report?

16 EXECUTIVE OFFICER LUCCHESI: I don't have a  
17 report today.

18 CHAIRPERSON CHIANG: Okay. Thank you.

19 The fourth item is the adoption of the consent  
20 calendar, Item C 01. Is there anyone in any of the  
21 locations who wishes to speak on this item?

22 I guess not.

23 We will proceed with a vote. May I have a motion  
24 to approve this item?

25 ACTING COMMISSIONER SCHMIDT: Motion.

1 CHAIRPERSON CHIANG: Motion by Kevin.

2 ACTING COMMISSIONER ORTEGA: Second.

3 CHAIRPERSON CHIANG: Second by Eraina. Please  
4 take roll.

5 EXECUTIVE OFFICER LUCCHESI: Chair Chiang?

6 CHAIRPERSON CHIANG: Aye.

7 EXECUTIVE OFFICER LUCCHESI: Commissioner Ortega?

8 ACTING COMMISSIONER ORTEGA: Aye.

9 EXECUTIVE OFFICER LUCCHESI: Commissioner  
10 Schmidt?

11 ACTING COMMISSIONER SCHMIDT: Aye.

12 CHAIRPERSON CHIANG: Motion passes.

13 The next order of business will be the regular  
14 calendar. Item 2 is to consider an amendment to a general  
15 lease, public agency use, for sovereign land located in  
16 Owens Lake in Inyo County. May we please have the staff  
17 presentation.

18 EXECUTIVE OFFICER LUCCHESI: The staff  
19 presentation will be made by Assistant Chief of our Land  
20 Management Division Colin Connor. He does have a  
21 PowerPoint presentation that will be handed out to all the  
22 locations in a hard copy.

23 (Thereupon a presentation was  
24 presented as follows.)

25 LAND MANAGEMENT DIVISION ASSISTANT CHIEF CONNOR:

1           Good morning, Commissioners. My name is Colin  
2 Connor. I'm the Assistant Chief of the Land Management  
3 Division. Thank you for having this special meeting. I'm  
4 here to present the staff report on calendar item number  
5 2.

6           This item involves a request by the City of Los  
7 Angeles, Department of Water and Power for a lease  
8 amendment to authorize a new dust control measure on the  
9 dry lake bed of Owens Lake, Inyo County.

10           The new dust control measure is known as Tillage  
11 With Best Available Control Measure Backup. I'll be  
12 referring to this dust control measure as TWBB hereafter.

13           For background, the lease was originally  
14 authorized by the Commission in 1999 and has been amended  
15 numerous times since then to authorize the placement of  
16 dust control measures over additional parts of the lake  
17 bed. To date, the city has implemented dust control  
18 measures over approximately 42 square miles of the lake  
19 bed with another 3.1 square miles currently under  
20 construction. To put that into perspective, these 45.1  
21 square miles equate to 28,864 acres.

22           Most of the existing dust control has been  
23 accomplished through shallow flooding of bermed-in areas  
24 known as cells. The proposed amendment before you  
25 requests a conversion of 11 of these shallow flood cells

1 totaling approximately 4.12 square miles to TWBB. The  
2 conversion would save approximately 8,500 acre feet of  
3 water per year. The conversion will consist of tilling  
4 the dried out cells with a tractor with a disk, plow, or  
5 rotary hoe, tilted dozer blades or excavators, which will  
6 create rows of rough or clodded ridges. Tilled rows  
7 approximately two feet deep and up to four feet high will  
8 be spaced up to 14 feet apart.

9           The cells may be retilled or rewetted and  
10 retilled to restore effectiveness. Existing  
11 infrastructure will supply water for rewetting. Several  
12 depth and salinity-controlled ponds containing small  
13 islands will be created within cells T16 and T2-2 to  
14 maintain existing shore bird and waterfowl habitat values.  
15 Installation of TWBB may take up to five months.

16           Although the proposed conversion to TWBB will  
17 save water, it will result in a temporary reduction in  
18 existing bird habitat in the cells due to construction,  
19 and will result in permanent reduction in wetted acres.  
20 While acknowledging the costs -- excuse me, the loss of  
21 overall wetland acres, the city believes it can maintain  
22 habitat values for the TWBB project using the Habitat  
23 Suitability Model. The Habitat Suitability Model was used  
24 in planning the Phase 7a project that was approved by the  
25 Commission in September 2013.

1           In the TWBB project, the city, using the Habitat  
2 Suitability Model, is proposing creation of ponds with  
3 scattered islands in two cells that would, because of  
4 their carefully engineered depth and salinity features,  
5 improve suitability for shore birds and waterfowl. The  
6 city contends the result of TWBB implementation would be a  
7 marginal increase in the overall habitat value for the 11  
8 cells.

9           However, it likely will be years before it is  
10 known whether the Habitat Suitability Model is successful  
11 as a planning tool for maintaining habitat values.  
12 Commission staff have been in communication with staff at  
13 the California Department of Fish and Wildlife, and  
14 representatives of Audubon California and Eastern Sierra  
15 Audubon Society and have identified areas of shared  
16 concern regarding TWBB and the use of the Habitat  
17 Suitability Model.

18           These common concerns are: Projected maintenance  
19 of habitat value based on Habitat Suitability Model, which  
20 hasn't been proofed to practice; success or failure of  
21 habitat value maintenance wouldn't be known until after  
22 the fact; application of the Habitat Suitability Model on  
23 a per project basis as opposed to a more comprehensive  
24 basis as proposed in the Owens Lake Master Plan/Project.

25           All these issues were to have been addressed in

1 the lake-wide Owens -- lake-wide Owens Lake Master Plan  
2 process, which ran from 2010 to 2013 before the city  
3 withdrew its support and funding for it. In its place the  
4 city instituted a scaled down master project process which  
5 involves many of the same stakeholders but is ultimately  
6 controlled by the city.

7 Because it is unknown when or if the master  
8 project will be completed and what its ultimate makeup  
9 will be, Commission staff is recommending the following  
10 lease provisions to address the shared concerns:

11 One, develop an adaptive management plan that  
12 includes a habitat monitoring protocol and remediation  
13 protocol to ensure that existing habitat values are  
14 maintained after implementation of TWBB.

15 Two, validate and update the Habitat Suitability  
16 Model and suitability index values.

17 Three, provide annual monitoring reports on the  
18 Habitat Suitability Model validation effort, parameter  
19 values, bird survey reports -- excuse me, bird survey  
20 results and recommendation.

21 Four, fund an independent third-party entity to  
22 monitor the effects of TWBB on bird habitat in the TWBB  
23 areas, and to review the validation efforts, adaptive  
24 management plan, annual reports, and provide  
25 recommendations.

1           Five, conduct surveys for birds nesting in tilled  
2 areas, and if present, postpone retilling or adding water  
3 until after the nesting season.

4           Six, include any new dust control areas in the  
5 master project planning process.

6           And seven, return any area authorized for TWBB to  
7 shallow flood if TWBB is determined to be ineffective by  
8 the Great Basin Unified Air Pollution Control District.

9           Commission staff believes these lease provisions  
10 are necessary to protect a very valuable Public Trust  
11 resource at Owens Lake, wildlife habitat.

12           And with these provisions, staff is prepared to  
13 recommend approval of the TWBB lease amendment.

14           This concludes my presentation. Staff is  
15 available to answer your questions.

16           CHAIRPERSON CHIANG: Okay. Do the Commissioners  
17 have any questions or comments?

18           ACTING COMMISSIONER ORTEGA: This is Eraina.

19           I was wondering, Colin, can you address one of  
20 the issue raised in the letter by Andrea Jones, it's the  
21 first item in the additional request. It says, "Eliminate  
22 all salt cedar infestations".

23           LAND MANAGEMENT DIVISION ASSISTANT CHIEF CONNOR:  
24 Right.

25           ACTING COMMISSIONER ORTEGA: Can you talk a

1 little bit about that?

2 LAND MANAGEMENT DIVISION ASSISTANT CHIEF CONNOR:

3 Sure. The -- frankly, we're not sure if those  
4 locations cited in the letter are on sovereign lands.  
5 We're looking into that right now. We have assisted in  
6 the elimination of salt cedar up in the Delta area, which  
7 is north of and outside of our jurisdiction in a  
8 cooperative effort with Cal Fire and LADWP in the past,  
9 but we're still looking at these areas that they outlined.

10 ACTING COMMISSIONER ORTEGA: Okay.

11 CHAIRPERSON CHIANG: Any other questions or  
12 comments?

13 Would anybody from the public like to share their  
14 thoughts?

15 EXECUTIVE OFFICER LUCCHESI: This is Jennifer  
16 Lucchesi. If everybody in their respective locations  
17 could identify whether they have someone present that  
18 wishes to speak on this item, that would be great.

19 CHIEF COUNSEL MEIER: This is Mark Meier, we do  
20 not have anybody here at Department of Finance.

21 MINERAL RESOURCES MANAGEMENT DIVISION ASSISTANT  
22 CHIEF PLANCK: This is Long Beach. We have one speaker.

23 CHAIRPERSON CHIANG: Okay. Very good.

24 LAND MANAGEMENT DIVISION CHIEF BUGSCH: This is  
25 Sacramento. No one present here to speak on that issue.

1 EXECUTIVE OFFICER LUCCHESI: And at the  
2 Controller's office we do have one person here to speak as  
3 well. So --

4 CHAIRPERSON CHIANG: If the person from Long  
5 Beach would please introduce themselves and then proceed  
6 after that.

7 MR. TAGHAVI: Thank you, Commissioners. My name  
8 is Milad Taghavi. I'm the manager of Owens Lake  
9 Regulatory Affairs and Long-Term Planning for Los Angeles  
10 Department of Water and Power. I'd like to again thank  
11 the Commission for the opportunity to address the  
12 Commission on this very important matter.

13 I'm here to speak in support of the proposed  
14 amendment lease number PRC 8079.9, which enabled the Los  
15 Angeles Department of Water and Power to implement Tillage  
16 with Best Available Control Measure Backup on  
17 approximately four square miles of Owens Lake and conserve  
18 between 8,500 to 8,600 acre feet of water per year, while  
19 continuing to meet air quality standards at Owens Lake  
20 regulatory shoreline.

21 Just to give you an idea, 8,500 to 8,600 acre  
22 feet of water is enough water to meet the annual demand of  
23 43,000 people in the City of Los Angeles. The project is  
24 in response to the -- President Obama's, Governor Jerry  
25 Brown's, and Los Angeles Mayor Eric Garcetti's recent

1 statements and declarations regarding California's severe  
2 drought and need to conserve water.

3           While the project is taken straight out of the  
4 Owens Lake Master Project, which have been developed in  
5 collaboration with the California State Lands Commission,  
6 local tribes, Eastern Sierra Audubon Society, Sierra  
7 Nevada Conservancy, California Department of Fish and  
8 Wildlife, Inyo County, Rio Tinto Minerals, and other  
9 stakeholders, our Board recognizes that further drought  
10 response projects, such as more tillage, need to be  
11 through the Owens Lake Master Plan itself. And we will be  
12 presenting a schedule to our board shortly to move forward  
13 quickly on this issue.

14           Tillage With Best Available Control Measure  
15 Backup is a very low water use dust control method. And  
16 the water conserved would reduce reliance on other  
17 imported sources of water, such as those purchased through  
18 the Metropolitan Water District of Southern California.

19           In closing, I would be remiss if I did not  
20 recognize and thank the staff at the California State  
21 Lands Commission, especially Mr. Colin Connor, Ms. Pamela  
22 Griggs, Mr. Drew Simpkin, and Ms. Jennifer DeLeon for  
23 their hard work, helpfulness, and patience in reviewing  
24 and analyzing significant amounts of information and  
25 documents that were associated with this project in a very

1 short period of time.

2 That concludes my comments. I'm more than happy  
3 to answer any questions that the Commission.

4 CHAIRPERSON CHIANG: Are there any questions or  
5 comments?

6 Thank you for your presentation and your  
7 comments.

8 We have a speaker here in Sacramento. Mr.  
9 Taylor, if you'd like to introduce yourself for the  
10 record, please.

11 MR. TAYLOR: Yes. Good morning, Chair and  
12 members of the Commission. I'm Dan Taylor, member of the  
13 Board of Audubon California, a state-wide organization for  
14 the National Audubon Society in California. Today, I  
15 speak on proposed action on behalf of Audubon and our  
16 local chapter, the Eastern Sierra Audubon Society located  
17 in Bishop.

18 Audubon has a long history of working on water  
19 issues in the Eastern Sierra, most notably our efforts  
20 over four decades to protect Public Trust values at Mono  
21 Lake. Since 2007, we have worked collaboratively to  
22 develop a long-term vision for Owens Lake, a process that  
23 now includes DWP, Commission staff, Great Basin Unified  
24 Air Pollution Control District, the Department of Fish and  
25 Wildlife, the Forest Service, several NGOs, and other

1 stakeholders.

2           And I'm pleased to report that this effort, while  
3 challenging, has been significant -- has made significant  
4 progress toward developing a comprehensive and compelling  
5 vision for Owens Lake that controls dust, sustains  
6 important bird populations now dependent on Owens Lake,  
7 and ensures the most efficient use of water in that  
8 process.

9           Most recently, DWP proposed a master project in  
10 2013 that is currently undergoing CEQA review. It  
11 generally reflects the emerging outcomes of this  
12 stakeholder effort.

13           While the four square miles of tillage in this  
14 proposed action is outside of that collaborative master  
15 project process, it's sheer size and scale have the  
16 potential to impact the overall master planning endeavor.

17           Having read the staff report, we are hopeful that  
18 the proposed action, as amended, could provide a useful  
19 roadmap and important new information that can ensure the  
20 success of a lake-wide vision and agreement in the months  
21 to come.

22           Toward that goal, we'd make the following  
23 suggestions:

24           If the lease is approved, coordinated in due time  
25 so that when the master project becomes effective this

1 project is fully incorporated to make sure checks and  
2 balances for habitat are in place across the entire lake  
3 bed.

4           The proposed action should not function outside  
5 of the master project. Stakeholders need assurances that  
6 the master project will not be replaced by a series of  
7 unconnected proposals.

8           We are pleased the proposed project incorporates  
9 the Habitat Suitability Model, but this model needs to be  
10 verified by field tests and ongoing monitoring.

11           Condition your approval to ensure that, in a  
12 transparent process, DWR updates the habitat model with  
13 new data and makes the necessary refinements to better  
14 reflect actual conditions.

15           Condition your approval to ensure that an  
16 independent party is retained to do monitoring for this  
17 project and Phase 7a with data being available to all  
18 interested parties.

19           Develop a robust and independent monitoring plan  
20 with adaptive management plan in place to respond quickly  
21 if habitat conditions don't respond as the model suggests;  
22 and, of course, make sure previous mitigation agreements  
23 from leases are fully mapped.

24           In addition, we respectfully suggest an  
25 additional mitigation measure for your analysis and

1 consideration, the systematic removal of invasive Tamarisk  
2 in seeps and springs across the lake bed, as has already  
3 been brought up in testimony. This would produce water  
4 savings and improved habitat conditions, two key  
5 objectives of the overall management plan -- master plan.

6 We appreciate the hard work and dedication of  
7 Commission staff throughout this process, and we look  
8 forward to continuing to work with you, DWP, and all  
9 stakeholders as we create an outcome that is good for the  
10 State, the environmental health of local residents, DWP  
11 ratepayers, and birds.

12 I have copies of Audubon's more detailed comment  
13 letter on disk, and that I will make available to staff  
14 and those interested.

15 Thank you very much.

16 CHAIRPERSON CHIANG: Very good. Thank you.

17 Are there any questions or comments?

18 Is there anybody else who would like to make  
19 public comment?

20 Okay. Commissioners, would someone like to make  
21 a recommendation or motion?

22 ACTING COMMISSIONER SCHMIDT: Motion.

23 ACTING COMMISSIONER ORTEGA: I'll second.

24 CHAIRPERSON CHIANG: Okay. We have a motion and  
25 a second.

1 Any comments?

2 Please take the vote.

3 EXECUTIVE OFFICER LUCCHESI: Chair Chiang?

4 CHAIRPERSON CHIANG: Aye.

5 EXECUTIVE OFFICER LUCCHESI: Chair Ortega --

6 Commissioner Ortega?

7 ACTING COMMISSIONER ORTEGA: Aye.

8 EXECUTIVE OFFICER LUCCHESI: Commissioner

9 Schmidt?

10 ACTING COMMISSIONER SCHMIDT: Aye.

11 CHAIRPERSON CHIANG: Okay. The motion passes.

12 Next item. Are there any other members of the  
13 public who want to make any other public comment?

14 No.

15 Commissioners, any further comment?

16 ACTING COMMISSIONER ORTEGA: No.

17 ACTING COMMISSIONER SCHMIDT: No.

18 CHAIRPERSON CHIANG: Okay. Thank you.

19 That concludes this meeting.

20 Thank you very much.

21 (Thereupon the California State Lands

22 Commission meeting adjourned at 10:54 AM)

23

24

25

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

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

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

9 That the said proceedings was taken before me, in  
10 shorthand writing, and was thereafter transcribed, under  
11 my direction, by computer-assisted transcription.

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

15 IN WITNESS WHEREOF, I have hereunto set my hand  
16 this 5th day of September, 2014.

17  
18  
19  
20 

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