

MEETING
STATE OF CALIFORNIA
LANDS COMMISSION

HYATT REGENCY LOS ANGELES INTERNATIONAL AIRPORT
THE JETWAY ROOM
6225 WEST CENTURY BOULEVARD
LOS ANGELES, CALIFORNIA

THURSDAY, JUNE 22, 2017
12:07 P.M.

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

A P P E A R A N C E S

COMMISSION MEMBERS:

Mr. Gavin Newsom, Lieutenant Governor, Chairperson

Ms. Betty T. Yee, State Controller

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

STAFF:

Mr. Colin Connor, Assistant Executive Officer

Mr. Mark Meier, Chief Counsel

Mr. Seth Blackmon, Senior Attorney

Ms. Pamela Griggs, Assistant Chief Counsel

Ms. Grace Kato, Assistant Chief, Land Management Division

Ms. Kim Lunetta, Administrative Assistant

Sheri Pemberton, Chief, External Affairs and Legislative
Liaison

ATTORNEY GENERAL:

Mr. Andrew Vogel, Deputy Attorney General

ALSO PRESENT:

Ms. Kathy Bancroft, Lone Pine Paiute-Shoshone Reservation

Mr. Joe Geever, Residents for Responsible Desalination

Mr. Graham Hamilton, Surfrider Foundation

Mr. Phill Kiddoo, Great Basin Unified Air Pollution
Control District

Ms. Terrie Robinson, Native American Heritage Commission

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I	12:00 P.M. - OPEN SESSION	1
II	CONFIRMATION OF MINUTES FOR THE MEETING OF APRIL 20, 2017	1
III	EXECUTIVE OFFICER'S REPORT	2

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

- Donner Tract Improvement Association
(Lessee): Continuation of annual rent at
\$129 per year for a General Lease -
Recreational Use located on sovereign land
in Donner Lake, adjacent to 13954 Donner
Pass Road, near Truckee, Nevada County.
(PRC 8340.1)
- Sierra Boat Company, Inc. (Lessee):
Continuation of minimum annual rent at
\$5,798 per year for a General Lease -
Commercial Use located on sovereign land
in Lake Tahoe, adjacent to 5146 North Lake
Boulevard, near Carnelian Bay, Placer
County. (PRC 5680.1)
- Scott T. Hanson and Valerie A. Hanson,
Trustees of the Scott T. Hanson and Valerie
A. Hanson Revocable Trust Dated April 1,
1998 (Lessee): Continuation of annual
rent at \$986 per year for a General Lease -
Recreational Use located on sovereign
land in Lake Tahoe, adjacent to 8355
Meeks Bay Avenue, near Rubicon Bay, El
Dorado County. (PRC 8692.1)
- Cynthia Caulk (Lessee): Continuation of
annual rent at \$131 per year for a General
Lease - Recreational Use located on sovereign
land in Steamboat Slough, adjacent to 13962
Grand Island Road, near Walnut Grove,
Sacramento County. (PRC 5910.1)

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- Noble Yacht Group, Inc. (Lessee):
Continuation of annual rent at \$1,803 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in the San Joaquin River, at Little Tinsley Island, San Joaquin County. (PRC 7975.1)

- Michael A. Di Grazia, as Trustee of the Michael A. Di Grazia Revocable Trust Created on July 19, 2006 (Lessee):
Continuation of annual rent at \$141 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in the Sacramento River, adjacent to 937 Piedmont Drive, near Sacramento, Sacramento County. (PRC 4164.1)

IV CONSENT CALENDAR C01-C74

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

LAND MANAGEMENT DIVISION

NORTHERN REGION

- C01 SUTTER BUTTE FLOOD CONTROL AGENCY (APPLICANT):
Consider application for a General Lease - Public Agency Use, of sovereign land located in the Feather River, adjacent to Assessor's Parcel Number 025-230-003, near Oroville, Butte County; for construction, placement, use, and maintenance of a notch, three box culverts with sluice gates, wing walls, grading, berm, cofferdam, removal and installation of trees and vegetation, and maintenance and construction areas. CEQA Consideration: Mitigated Negative Declaration, adopted by the Sutter Butte Flood Control Agency, State Clearinghouse No. 2016052077, and adoption of a Mitigation Monitoring Program. (W27081; RA# 18616) (A 3; S 4) (Staff: M.J. Columbus)

- C02 URBANA TAHOE TC, LLC, A DELAWARE LIMITED LIABILITY COMPANY (LESSEE): Consider revision

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of rent to Lease No. PRC 3981.1, a General Lease - Commercial Use, of sovereign land located in Lake Tahoe, adjacent to 3411 Lake Tahoe Boulevard, city of South Lake Tahoe, El Dorado County; for an existing commercial marina known as Timber Cove Lodge Marina. CEQA Consideration: not a project. (PRC3981.1) (A 5; S 1) (Staff: M.J. Columbus) Item revised 06/19/17

- C03 JOHN R. GRIGSBY AND PATRICIA A. GRIGSBY, TRUSTEES OF THE JOHN R. GRIGSBY AND PATRICIA A. GRIGSBY REVOCABLE TRUST DATED SEPTEMBER 24, 2003 (APPLICANT): Consider application for a General Lease -Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 36 Moana Circle, near Homewood, Placer County; for an existing pier and two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 7459.1; RA# 01816) (A 1; S 1) (Staff: M.J. Columbus)
- C04 SUNNYSIDE LANE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2340 Sunnyside Lane, near Tahoe City, Placer County; for an existing pier, two boat slips, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 3813.1; RA# 37015) (A 1; S 1) (Staff: M.J. Columbus)
- C05 MARC KENNETH ROOS AND KATHERINE COTSWORTH ROOS, TRUSTEES OF THE ROOS FAMILY REVOCABLE LIVING TRUST AGREEMENT DATED JUNE 22, 2005 (LESSEE); DANA WARD JETTER AND CATHRYN DIANNE JETTER, TRUSTEES OF THE D AND C JETTER FAMILY TRUST DATED FEBRUARY 6, 2004 (APPLICANT): Consider termination of Lease No. PRC 8872.1, a General Lease - Recreational Use, and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2985 West Lake Boulevard, near Homewood, Placer County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (PRC 8872.1; RA# 18116) (A 1; S 1) (Staff: M.J. Columbus)

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- C06 DAVID LEE HICKS, KATHLEEN HICKS CANNON, AND MICHAEL PAU HICKS (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3850 North Lake Boulevard, near Carnelian Bay, Placer County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (PRC 7399.1; RA# 34214) (A 1; S 1) (Staff: M.J. Columbus) C07 ROY L. WICKLAND, AS TRUSTEE OF THE WICKLAND MARITAL TRUST ESTABLISHED SEPTEMBER 25, 2012 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 9021 Lupine Lane, near Rubicon Bay, El Dorado County; for an existing swim float and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 8555.1; RA# 08316) (A 5; S 1) (Staff: K. Connor)
- C08 GEORGE CARL EVERETT, JR. AND ANDREA C. EVERETT, TRUSTEES OF THE EVERETT FAMILY TRUST DATED APRIL 18, 1996 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in Lake Tahoe, adjacent to 8690 Brockway Vista Avenue, near Kings Beach, Placer County; for an existing pier, breakwater, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 5164.1; RA# 07316) (A 1; S 1) (Staff:K. Connor)
- C09 LAKE TAHOE VILLA, LLC, A DELAWARE LIMITED LIABILITY COMPANY (LESSEE); ARI BIRGER AND IRIT BIRGER (APPLICANT): Consider waiver of rent, penalty, and interest; acceptance of a quitclaim deed for Lease No. PRC 3526.1, a General Lease - Recreational Use; and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3077 Jameson Beach Road, near South Lake Tahoe, El Dorado County; for an existing pier and one mooring buoy. CEQA Consideration: categorical exemption. (PRC 3526.1; RA# 17716)(A 5; S 1) (Staff: K. Connor)
- C10 3180 EDGEWATER DRIVE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider

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application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3180 Edgewater Drive, near Dollar Point, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 8383.1; RA# 13016) (A 1; S 1) (Staff: K. Connor) C11 BARBARA C. THORNTON, TRUSTEE OF THE BARBARA C. THORNTON TRUST DATED SEPTEMBER 18, 2009 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8748 Brockway Vista Avenue, near Kings Beach, Placer County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (PRC 5316.1; RA# 20216) (A 1; S 1) (Staff: K. Connor)

C12 WILLIAM EDWARD JAMES LYONS, MATTHEW PATRICK LYONS, TYLER JAMES LYONS AND KATHRYN LAURA LYONS, AS TRUSTEES OF THE WILLIAM J. LYONS, JR. IRREVOCABLE TRUST, U/T/A DATED DECEMBER 24, 2012; AND WILLIAM EDWARD JAMES LYONS, MATTHEW PATRICK LYONS, TYLER JAMES LYONS AND KATHRYN LAURA LYONS, AS TRUSTEES OF THE SUZANNE L. LYONS IRREVOCABLE TRUST, U/T/A DATED DECEMBER 24, 2012 (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8449 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 7635.1; RA# 18016) (A 5; S 1) (Staff: K. Connor)

C13 RICHARD KENT LEDBETTER II AND JULIE RAE LEDBETTER, TRUSTEES OF THE LEDBETTER REVOCABLE TRUST DATED OCTOBER 8, 2007 (LESSEE); MICHAEL C. PHAM AND URSZULA TUSZEWICKA, TRUSTEES OF THE DECLARATION OF TRUST DATED NOVEMBER 25, 2013 (APPLICANT): Consider acceptance of a quitclaim deed for Lease No. PRC 7937.1, a General Lease - Recreational Use; and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 656 Olympic Drive, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 7937.1; RA# 19716) (A 1; S 1) (Staff: K. Connor)

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- C14 LAURIE STRUCK, TRUSTEE OF THE LAURIE STRUCK TRUST DATED JANUARY 11, 2001 (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5080 West Lake Boulevard, near Homewood, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 8656.1; RA# 18716) (A 1; S 1) (Staff: K. Connor)
- C15 TAHOE MOUNTAIN PROPERTIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (LESSEE); GREG HELLER, AS TRUSTEE OF THE EAGLE'S NEST TRUST DATED AUGUST 1, 2016 (APPLICANT): Consider waiver of rent, penalty, and interest; acceptance of a quitclaim deed for Lease No. PRC 4067.1, a General Lease - Recreational Use; and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6900 West Lake Boulevard, near Tahoma, Placer County; for an existing pier, boathouse with boat lift, and two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 4067.1; RA# 21216) (A 1; S 1) (Staff: K. Connor)
- C16 CHINQUAPIN HOMEOWNERS ASSOCIATION (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 5423.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3600 North Lake Boulevard, near Dollar Point, Placer County; for two existing piers, two swim floats, 132 mooring buoys, and two marker buoys. CEQA Consideration: not projects. (PRC 5423.1) (A 1; S1) (Staff: N. Lee)
- C17 CITY OF PETALUMA (LESSEE/APPLICANT): Consider termination of Lease No. PRC 7235.1, a General Lease - Public Agency Use; and an application for a General Lease - Public Agency Use, of sovereign land located in the Petaluma River, adjacent to 781 Baywood Drive, city of Petaluma, Sonoma County; for an existing commercial marina, known as the Petaluma Marina. CEQA Consideration: categorical exemption. (PRC 7235.1; RA# 21515) (A 10; S 3) (Staff: M. Schroeder)

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- C18 CITY OF COLUSA (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Sacramento River, adjacent to 9th and 10th Streets, city of Colusa, Colusa County; for an existing boat launching ramp and construction of a new boat launching ramp, uncovered floating boat dock, and appurtenant facilities. CEQA Consideration: Mitigated Negative Declaration, adopted by the City of Colusa, State Clearinghouse No. 2012122063, and adoption of a Mitigation Monitoring Program. (W 27076; RA# 18216) (A 3; S 4) (Staff: M. Schroeder)
- C19 TOLOWA DEE-NI' NATION (APPLICANT): Consider application for a General Lease - Other, of sovereign land located in the Pacific Ocean, offshore of the Smith River and near Prince Island (Assessor's Parcel Number 102-010-12), Del Norte County; for the placement, monitoring, data collection, and removal of two water-quality monitoring buoys. CEQA Consideration: categorical exemption. (W 27085; RA# 20716) (A 2; S 2) (Staff: M. Schroeder)
- C20 LUIS PARRAGUE AND SHARON PARRAGUE (LESSEE); ROBERT G. BUSSEY AND BARBARA G. BUSSEY, TRUSTEES OF THE ROBERT G. BUSSEY AND BARBARA G. BUSSEY FAMILY TRUST DATED MARCH 14, 2002 (APPLICANT): Consider termination of Lease No. PRC 5728.1, a General Lease - Recreational Use; and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3115 West Lake Boulevard, Tahoe City, Placer County; for one existing mooring buoy. CEQA Consideration: categorical exemption. (PRC 5728.1; RA#04416) (A 1; S 1) (Staff: M. Schroeder)
- C21 RONALD M. FADELLI; THE FADELLI LIMITED PARTNERSHIP; WILLIAM DIETZ AND KELLY DIETZ, TRUSTEES OF THE DIETZ FAMILY TRUST OF 2003, DATED 4-20-2004 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5270 and 5274 North Lake Boulevard, near Carnelian Bay,

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Placer County; for an existing joint-use pier, two boat lifts, and two mooring buoys previously authorized by the Commission and two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 5358.1; RA# 10416) (A 1; S 1) (Staff: M. Schroeder)

C22 ROBERT N. TAYLOR AND SCOTT B. TAYLOR, CO-TRUSTEES OF THE DOROTHY B. WARNE GRANDCHILDREN'S TRUST, ESTABLISHED MARCH 14, 1996; ROBERT N. TAYLOR AND SCOTT B. TAYLOR (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4290 West Lake Boulevard, near Homewood, Placer County; for an existing boathouse with boat hoist, artificially filled area, and one mooring buoy. CEQA Consideration: categorical exemption. (PRC 6358.1; RA# 01416) (A 1; S 1) (Staff: M. Schroeder)

C23 DONNA SHEEHAN AND PAUL A. REFFELL (LESSEE): Consider revision of rent to Lease No. PRC 5693.1, a General Lease - Recreational Use, of sovereign land located in the Petaluma River, adjacent to 5638 Lakeville Highway, near Petaluma, Sonoma County; for an existing covered berth, six pilings, and a walkway. CEQA Consideration: not a project. (PRC 5693.1) (A 10; S 3) (Staff: J. Toy)

C24 TAHOE PINES HOMEOWNERS ASSOCIATION (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 5290.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to the extension of Grand Avenue, near Tahoe Pines, Placer County; for an existing pier. CEQA Consideration: not projects. (PRC 5290.1) (A 1; S 1) (Staff: J. Toy)

C25 BREMBIL, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 8402.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 171 Paradise Flat Lane, near Rubicon Bay, El Dorado

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County; for an existing pier, boat lift, and four mooring buoys. CEQA Consideration: not projects. (PRC 8402.1) (A 5; S 1) (Staff: J. Toy)

- C26 MEEKS BAY LAKESIDE, LLC (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 7353.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8209 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: not projects. (PRC 7353.1) (A 5; S 1) (Staff: J. Toy)
- C27 MARK A. MARIANI AND MELODY ANN MARIANI, TRUSTEES OF THE MARK AND MELODY ANN MARIANI REVOCABLE TRUST UAD 1/9/97 (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 4859.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2820 Lake Terrace Avenue, near Tahoe City, Placer County; for an existing pier, covered boathouse, and two mooring buoys. CEQA Consideration: not projects. (PRC 4859.1) (A1; S 1) (Staff: J. Toy)
- C28 THE GAR WOOD BUILDING, A CALIFORNIA LIMITED PARTNERSHIP (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 5402.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4998 North Lake Boulevard, near Carnelian Bay, Placer County; for a restaurant accommodation pier, 14 mooring buoys, and three marker buoys. CEQA Consideration: not projects. (PRC 5402.1) (A 1; S 1) (Staff: J. Toy)
- C29 JEROME J. BERNAL, TRUSTEE OF THE JEROME J. BERNAL TRUST DATED MAY 13, 1998 (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 5352.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7097 State Highway 89, near Tahoma, El Dorado County; for an existing pier, boat lift, boat hoist, and two mooring bouys. CEQA Consideration: not projects. (PRC 5352.1) (A 5; S 1) (Staff: J. Toy)

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BAY/DELTA REGION

- C30 STOCKTON DELTA RESORT, LLC (LESSEE); UNITED BANK, A WISCONSIN BANKING CORPORATION (SECURED PARTY-LENDER): Consider application for an Agreement and Consent to Encumbrancing of Lease for Lease No. PRC 4194.1, of sovereign land located in Little Potato Slough, adjacent to 14900 W. Highway 12, near Lodi, San Joaquin County; for an existing commercial marina known as Yogi Bear's Jellystone Park Camp-Resort at Tower Park. CEQA Consideration: not a project. (PRC4194.1; RA# 24116) (A 13; S 5) (Staff: V. Caldwell)
- C31 CHEVRON PRODUCTS COMPANY (LESSEE): Consider adoption of an Addendum to a Mitigated Negative Declaration, State Clearinghouse No. 2016082014, and adoption of a Mitigation Monitoring Program Addendum for the Chevron Long Wharf Maintenance and Efficiency Project located in the San Francisco Bay, in the city of Richmond, Contra Costa County; and consider approval of a Project modification to allow construction work on weekends and holidays. (PRC 8818.1; RA# 01814) (A 15; S 9) (Staff: V. Caldwell, S. Mongano, J. Fabel)Exhibits A and B revised 06/16/17
- C32 THREE RIVERS ACQUISITION CO., LLC (LESSEE): Consider acceptance of a lease quitclaim deed for Lease No. PRC 9068.1, a General Lease - Right-of-Way Use, for sovereign land in the Mokelumne River, between Tyler Island and Bouldin Island, near Isleton, Sacramento and San Joaquin Counties. CEQA Consideration: not a project. (PRC 9068.1; RA# 21316) (A 11, 13; S 3, 5) (Staff: A. Franzoia)
- C33 CP DEVELOPMENT CO., LLC, A DELAWARE LIMITED LIABILITY COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way and Protective Structure Use, of filled and unfilled sovereign land located in San Francisco Bay and the Candlestick Point State Recreation Area, city and county of San Francisco; for existing bank protection, widening an existing

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- road, construction of four storm drain outfall structures, and appurtenant facilities. CEQA Consideration: Environmental Impact Report, certified by the Office of Community Investment and Infrastructure (OCII), State Clearinghouse No. 2007082168, and adoption of a Mitigation Monitoring Program and Statement of Findings and Overriding Considerations. (W 27037; RA# 00716) (A 17; S11) (Staff: A. Franzoia)
- C34 HUGH TURNER (ASSIGNOR); ALAMAR, LP (ASSIGNEE): Consider application for assignment of lease and revision of rent to Lease No. PRC 5110.1, a General Lease - Commercial Use, of sovereign land located in the Sacramento River, adjacent to 5999 Garden Highway, near Sacramento, Sacramento County, for an existing commercial marina. CEQA Consideration: not projects. (PRC 5110.1; RA# 07716) (A 7; S 6) (Staff: J. Holt)
- C35 LAWRENCE H. CASSIDY (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 1963 Garden Highway, near Sacramento, Sacramento County; for an existing floating boat dock, covered boathouse, sundeck, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 5381.1; RA# 06416) (A 7; S 6) (Staff: J. Holt)
- C36 ROBERT L. VELLANOWETH AND KELLY A. VELLANOWETH (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 674 Riverlake Way, near Sacramento, Sacramento County; for an existing floating boat dock, covered boathouse, sundeck with safety railing, and appurtenant facilities. CEQA Consideration: categorical exemption. (PRC5065.1; RA# 19416) (A 9; S 6) (Staff: J. Holt)
- C37 GIRL SCOUTS OF NORTHERN CALIFORNIA (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the historic bed of Cordelia Slough, adjacent to

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4550 Cordelia Road, near Fairfield, Solano County; for an existing records building, restroom facility, two storage containers, and parking lot. CEQA Consideration: categorical exemption. (PRC 6408.1; RA# 17802) (A 11; S 3) (Staff: J. Holt)

Item removed

- C38 CALIFORNIA RESOURCES PETROLEUM CORPORATION (LESSEE): Consider revision of rent to Lease No. PRC 8874.1, a General Lease - Right-of-Way Use, of sovereign land located in Sevenmile Slough, adjacent to Assessor's Parcel Numbers 157-0120-027 and 157-0140-020, near Isleton, Sacramento County; for natural gas pipelines. CEQA Consideration: not a project. (PRC 8874.1) (A 11; S 3) (Staff: J. Toy)
- C39 DIXON BOAT AND FISHING CLUB, INC. (LESSEE): Consider an amendment of lease and revision of rent to Lease No. PRC 4913.1, a General Lease - Recreational Use, of sovereign land located in Cache Slough, adjacent to 7504 Bartlett Road, near Dixon, Solano County; for two floating boat docks and appurtenant facilities. CEQA Consideration: not projects. (PRC 4913.1) (A 4; S 3) (Staff: J. Toy)
- C40 LARRY M. MCCLURE (LESSEE): Consider revision of rent to Lease No. PRC 6090.1, a General Lease - Recreational, Protective Structure, and Right-of-Way Use, of sovereign land located in Old River, adjacent to Eucalyptus Island, near Byron, Contra Costa County; for an existing fishing pier, breakwater structure, and submarine electrical cable. CEQA Consideration: not a project. (PRC 6090.1) (A 14; S 7) (Staff: J. Toy)
- C41 MICHAEL LEMIEUX AND JESSICA LEMIEUX (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Petaluma River, adjacent to 130 Harbor Drive, near Novato, Marin County; for an existing floating boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (PRC

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5526.1; RA# 18416) (A 10; S 2) (Staff: D. Tutov)

- C42 PORT STOCKTON BOATERS, INC. (LESSEE): Consider revision of rent to Lease No. PRC 2771.1, a General Lease - Recreational and Protective Structure Use, of filled and unfilled sovereign land in the San Joaquin River, at Headreach Island, near Stockton, San Joaquin County; four floating boat docks, appurtenant facilities, bulkhead, clubhouse with sundeck, bunkhouse with deck, gazebo, storage shed, generator shed, septic system, and bank protection. CEQA Consideration: not a project. (PRC 2771.1) (A 13; S 5) (Staff: D. Tutov)
- C43 JANICO, LLC (ASSIGNOR); KIT H. KINNE AND LISA MACK KINNE (ASSIGNEE): Consider application for an assignment of Lease No. PRC 5865.1, a General Lease - Recreational and Protective Structure Use, of sovereign lands located in the Sacramento River, adjacent to 7257 Garden Highway near Sacramento, Sacramento County; for an existing boat dock and appurtenant facilities. CEQA Consideration: not a project. (PRC 5865.1; RA# 23216) (A 4; S 3) (Staff: D. Tutov)
- C44 MICHAEL REPPY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Tomales Bay, adjacent to 19225 Highway 1, near Marshall, Marin County; for an existing mooring buoy. CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (W 27055; RA# 35515) (A 10; S 2) (Staff: D. Tutov)
- C45 THOMAS M. FELDSTEIN AND JULIE H. FELDSTEIN (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Tomales Bay, adjacent to 22295 Highway 1, near Marshall, Marin County; for a proposed mooring buoy. CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (W 27062; RA# 04116) (A 10; S 2) (Staff: D. Tutov)

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C46 ESTATE OF GEORGE A. HEINER (ASSIGNOR); SHC MANAGEMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (ASSIGNEE): Consider application for an assignment and amendment of Lease No. PRC 6836.1, a General Lease - Commercial Use, of sovereign lands located in the Sacramento River, adjacent to 13900 River Road, near Locke, Sacramento County; for an existing commercial marina known as The Boathouse Marina. CEQA Consideration: not projects. (PRC 6836.1; RA# 16516) (A 11; S 3) (Staff: D. Tutov)

Exhibit A revised 06/16/17

C47 JOHN FREDERICK SCHNEIDER, III AND BRIGITTE T. BURNS (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to Assessor's Parcel Number 201-0270-058, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 5937.1; RA# 19316) (A 7; S 6) (Staff: D. Tutov)

C48 EAST BAY REGIONAL PARK DISTRICT (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land in San Francisco Bay at Point Richmond, in Richmond, Contra Costa County; for the Ferry Point Pier. CEQA Consideration: categorical exemption. (PRC 5617.9; RA# 08716) (A 15; S 9) (Staff: D. Tutov)

CENTRAL/SOUTHERN REGION

C49 COUNTY OF TULARE (LESSEE): Consider an amendment, acceptance of a quitclaim deed, and revision of rent for Lease No. PRC 8900.1, a General Lease - Public Agency Use and Endorsement of Subleases, of sovereign land in the Kings River near Dinuba, Tulare County; for the removal of a lease parcel following completion of the Avenue 416 bridge replacement project. CEQA Consideration: categorical exemption. (PRC 8900.1; RA# 35615) (A 26; S 14) (Staff: S. Avila)

Exhibit B revised 06/14/17

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- C50 DEL B. BRAULT AND ANDREA MARGARETTE BRAULT, CO-TRUSTEES OF THE BRAULT FAMILY TRUST, DATED MAY 31, 1996, "FAMILY" TRUST (EXEMPTION TRUST) (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16681 Carousel Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, cantilevered deck, and bulkhead protection. CEQA Consideration: categorical exemption. (PRC 8241.1; RA# 18816) (A 72; S 34) (Staff: S. Avila)
- C51 JANICE VEE GOSS, TRUSTEE OF THE JAN GOSS SURVIVOR'S TRUST, ESTABLISHED UNDER THE TERMS OF THE GOSS REVOCABLE LIVING TRUST, DATED MAY 7, 1996, AS THEREAFTER AMENDED AND RESTATED, AND ANY AMENDMENTS HEREAFTER MADE TO SUCH JAN GOSS SURVIVOR'S TRUST (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16691 Carousel Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, cantilevered deck, and bulkhead protection. CEQA Consideration: categorical exemption. (PRC 8242.1; RA# 21016) (A 72; S 34) (Staff: S. Avila)
- C52 SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE): Consider a revision of rent to Lease No. PRC 8330.1, a General Lease - Right-of-Way Use, of sovereign land located in the Pacific Ocean, near Jewfish Point on Santa Catalina Island, Los Angeles County, for two saltwater wells with appurtenant buried pipeline and electrical conduit, two well heads, and a fence. CEQA Consideration: not a project. (PRC 8330.1) (A 54; S27) (Staff: S. Avila)
- C53 ERNEST F GREETHER, JR., TRUSTEE OF THE GREETHER RESIDENCE TRUST DATED MAY 9, 2003 (LESSEE); JEFFREY READ GREETHER AND BETSEY GREETHER CHILDREY, AS CO-TRUSTEES OF THE GREETHER RESIDENCE TRUST: Consider an application for a General Lease -

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Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour adjacent to 16795 Bolero Lane, Huntington Beach, Orange County; for a boat dock, access ramp, and cantilevered deck. CEQA Consideration: categorical exemption. (PRC 3855.1; RA# 24516) (A 72; S 34) (Staff: S. Avila)

- C54 JAMES L. ANDREWS AND KATHERINE A. ANDREWS, TRUSTEES OF THE JAMES L. ANDREWS AND KATHERINE A. ANDREWS FAMILY TRUST CREATED SEPTEMBER 7, 2000 (APPLICANT): Consider an application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 17041 Bolero Lane, Huntington Beach, Orange County; for a boat dock, access ramp, and cantilevered deck. CEQA consideration: categorical exemption. (PRC 3576.1; RA# 23716) (A 72; S 34) (Staff: S. Avila)
- C55 S&M KEMP RANCH, LLC (APPLICANT): Consider application for a General Lease - Grazing Use, of sovereign land located in Owens River Delta, near Lone Pine, Inyo County; for livestock grazing. CEQA Consideration: categorical exemption. (W 26960; RA# 37715) (A 26; S 8) (Staff: C. Hudson)
- C56 NRG CALIFORNIA SOUTH LP (APPLICANT): Consider application for a General Lease - Industrial Use, of sovereign land in the Pacific Ocean, offshore Ormond Beach near Oxnard, Ventura County, for an existing seawater intake conduit and a discharge cooling water conduit. CEQA Consideration: categorical exemption. (PRC 4196.1; RA# 15516) (A 19; S 44) (Staff: C. Hudson)
- C57 AES HUNTINGTON BEACH LLC AND POSEIDON RESOURCES (SURFSIDE) LLC (POSEIDON RESOURCES) (CO-LESSEES): Consider revision of rent to Lease No. PRC 1980.1, a General Lease - Industrial Use, of tide and submerged land located in the Pacific Ocean, offshore of Huntington Beach State Park, city of Huntington Beach, Orange County; for an existing seawater intake pipeline and an existing discharge pipeline. CEQA Consideration: not a project. (PRC 1980.1) (A 74; S 37) (Staff: C. Hudson)

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Item removed 06/16/17

- C58 CITY OF LOS ANGELES, DEPARTMENT OF WATER AND POWER (LESSEE): Consider application for an amendment to Lease No. PRC 8079.9, a General Lease - Public Agency Use, to place gravel on a 0.41-acre parcel west of Mainline, between Dust Control Areas T21 and T21-L3 on the bed of Owens Lake, Inyo County. CEQA Consideration: Environmental Impact Report, certified by the Los Angeles Department of Water and Power, State Clearinghouse No. 2014071057. (PRC 8079.9; RA# 25516) (A 26; S 8) (Staff: G. Kato)

Item revised 06/21/17

- C59 EAGLE CREEK PACIFIC LLC, A DELAWARE LIMITED LIABILITY COMPANY(APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign land located in the Salinas River adjacent to Molera Ranch, near Castroville, Monterey County; for existing riprap bank protection. CEQA Consideration: categorical exemption. (PRC 7055.1; RA# 19116) (A 29; S 17) (Staff: L. Pino)
- C60 CITY OF SEAL BEACH (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in Anaheim Bay, adjacent to the Sunset Aquatic Regional Park, city of Seal Beach, Orange County; for an existing 10-inchdiameter water line and 6-inch-diameter sewer line. CEQA Consideration: categorical exemption. (PRC 4006.9; RA# 14616) (A 72; S 34) (Staff: L. Pino)
- C61 SANTA BARBARA COUNTY PARKS DIVISION (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in Pacific Ocean, near the cities of Goleta, Montecito, and Summerland, at Arroyo Burro Beach, Butterfly Beach, Goleta Beach, and Lookout Beach, Santa Barbara County; for the seasonal placement of swim and channel marker buoys, floats, and signs to designate Special Use Areas and a boat launch rridor. CEQA Consideration: categorical

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xemption. PRC 7082.9; RA# 14716) (A 37; S 19)
(Staff: L. Pino)

Item removed 06/16/17

- C62 CITY OF SANTA BARBARA WATERFRONT DEPARTMENT (LESSEE): Consider revision of rent to Lease No. PRC 8688.1, a General Lease - Public Agency Use, of sovereign land located in the Santa Barbara Channel, near Santa Barbara, Santa Barbara County; for a regulated mooring and anchoring program known as the East Beach Mooring/Anchoring Program, consisting of 13 mooring spaces. CEQA Consideration: not a project. (PRC 8688.1) (A 35; S 19) (Staff: L. Pino)
- C63 PREMIER SEED COMPANY (APPLICANT): Consider application for a General Lease - Other, of State-owned sovereign land located in the dry bed of Owens Lake, Inyo County; for seed harvesting. CEQA Consideration: categorical exemption. (W 27083; RA# 19516) (A 26; S 8) (Staff: J. Porter)
- C64 BEL-AIR BAY CLUB, LTD. (LESSEE): Consider revision of rent to Lease No. PRC 8466.1, a General Lease - Recreational Use, of sovereign land located adjacent to 16801 Pacific Coast Highway, near Pacific Palisades, Los Angeles County; for volleyball courts, chain link fencing, and a portable lifeguard station. CEQA Consideration: not a project. (PRC 8466.1) (A 50; S 26) (Staff: J. Toy)
- C65 BEL-AIR BAY CLUB, LTD. (LESSEE): Consider revision of rent to Lease No. PRC 8465.1, a General Lease - Protective Structure Use, of sovereign land located in the Pacific Ocean, adjacent to 16802 Pacific Coast Highway, near Pacific Palisades, Los Angeles County; for three groins used for beach erosion control. CEQA Consideration: not a project. (PRC 8465.1) (A 50; S 26) (Staff: J. Toy)

SCHOOL LANDS

- C66 PACIFIC GAS AND ELECTRIC COMPANY (APPLICANT): Consider application for a General Lease -

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Right-of-Way Use, of 0.21 acres, more or less, of State-owned school land located in the southwest quarter of the southwest quarter of the southwest quarter of Section 36, Township 7 North, Range 3 East, SBM, south of Newberry Springs, San Bernardino County; for an existing unpaved access road. CEQA Consideration: categorical exemption. (PRC 2158.2; RA# 25916) (A 33; S 16) (Staff: J. Porter)

- C67 KERN RIVER GAS TRANSMISSION COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 8412.2, a General Lease - Right-of-Way Use, of State-owned school land located within Section 16, Township 17 North, Range 14 East, SBM, near Daggett, San Bernardino County; for an existing natural gas pipeline. CEQA Consideration: not a project. (PRC 8412.2) (A 33; S 16) (Staff: J. Toy)
- C68 UNITED STATES OF AMERICA, AND ITS ASSIGNS, ACTING BY AND THROUGH THE BUREAU OF LAND MANAGEMENT (LESSEE): Consider revision of rent to Lease No. PRC 8410.2, a General Lease - Public Agency Use, of State-owned school land located within Section 16, Township 7 North, Range 3 East, SBM, south of Newberry Springs, San Bernardino County; for barbed wire livestock fencing. CEQA Consideration: not a project. (PRC 8410.2) (A 33; S 16) (Staff: J. Toy)
- C69 KERN RIVER GAS TRANSMISSION COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 8411.2, a General Lease - Right-of-Way Use, of State-owned school land located within Section 36, Township 14 North, Range 6 East, SBM, near Daggett, San Bernardino County; for an existing natural gas pipeline. CEQA Consideration: not a project. (PRC 8411.2) (A 33; S 16) (Staff: J. Toy)

MINERAL RESOURCES MANAGEMENT

- C70 SUMMIT EXPLORATION (CALIFORNIA), LLC (APPLICANT): Consider acceptance of the Full Quitclaim Deed of Negotiated Subsurface (no surface use) Oil and

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Gas Lease No. PRC 9008.1, Tyler Slough near
Walnut Grove, Sacramento County. CEQA
Consideration: not a project. (PRC 9008.1) (A 15;
S 5)(Staff: N. Heda)

MARINE ENVIRONMENTAL PROTECTION - NO ITEMS

ADMINISTRATION - NO ITEMS

LEGAL

C71 UNITED STATES NATIONAL PARK SERVICE (PARTY):
Consider cession of concurrent criminal
jurisdiction pursuant to California Government
Code section 126 over 35 parcels of land within
Kings Canyon and Sequoia National Parks, Tulare
County. CEQA consideration: not a project. (W
26519; RA# 29316) (A 23; S 8) (Staff: B.Johnson)

C72 CALIFORNIA STATE LANDS COMMISSION, SANDYLAND
PROTECTIVE ASSOCIATION, COUNTY OF SANTA BARBARA
(PARTIES): Consider approval of a real property
agreement, which includes the granting of a
49-year easement by the Commission to the County
and the acceptance by the Commission of a fee
parcel of land located along the Pacific Ocean
near Sand Point Road, Santa Barbara County and
within the Carpenteria Salt Marsh. CEQA
Consideration: categorical exemption (W 26501) (A
37; S 19) (Staff: J. Porter; K. Colson)

Item removed 06/13/17

KAPILOFF LAND BANK TRUST ACQUISITIONS - NO ITEMS

EXTERNAL AFFAIRS

GRANTED LANDS

C73 CALIFORNIA STATE LANDS COMMISSION: Consider
approving two industrial leases, issued by the
City of Eureka and located on the City's
legislatively granted sovereign land, for
existing pier and dock structures, pursuant to
Chapter 1086, Statutes of 1970, as amended by
Chapter 1095, Statutes of 1978. CEQA
consideration: not a project. (G04-02) (A 2; S 2)
(Staff: R. Boggiano)

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C74 CALIFORNIA STATE LANDS COMMISSION: Consider approval of a Trust Land Use Plan, pursuant to Chapter 422, Statutes of 2011, city of Pittsburg, Contra Costa County. CEQA Consideration: not a project. (G 02-03) (A 11; S 7) (Staff: R. Boggiano)

V INFORMATIONAL

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

VI REGULAR CALENDAR 76-79

76 CALIFORNIA STATE LANDS COMMISSION: Consider acknowledgement of the Commission's ongoing actions to ensure the safety of offshore Oil and Gas Lease Nos. PRC 421.1, PRC 3120.1, PRC 3242.1, and provide a status update relating to Venoco, LLC's Chapter 11 Bankruptcy, offshore Santa Barbara County. CEQA Consideration: not a project. (PRC 421.1, PRC 3120.1, PRC 3242.1) (A 37; S 19) (Staff: J. Planck, S. Blackmon)

8

77 CALIFORNIA STATE LANDS COMMISSION: Consider a resolution supporting the nomination of Owens Lake, located in Inyo County, to the National Register of Historic Places as an Archaeological District possessing significant cultural value to local Native American Tribes, and direct staff to take any appropriate actions, on behalf of the Commission, to participate in the development of a nomination and resource management plan. CEQA Consideration: not a project. (A 26; S 8) (Staff: G. Kato, S. Mongano)

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- 78 CALIFORNIA STATE LANDS COMMISSION: Consider a resolution opposing the Presidential Executive Order "Implementing an America-First Offshore Energy Strategy," which establishes a policy to encourage energy exploration and production on the outer continental shelf. CEQA Consideration: not a project. (A & S: Federal) (Staff: S. Pemberton) 38

Exhibit A revised 06/20/17

- 79 CALIFORNIA STATE LANDS COMMISSION: Informational update on the Commission's Environmental Justice Policy public outreach and development. CEQA consideration: not a project. (A & S: Statewide) (Staff: S. Pemberton) 43

VII PUBLIC COMMENT 54

VIII COMMISSIONERS' COMMENTS 54

- IX CLOSED SESSION: AT ANY TIME DURING THE MEETING THE COMMISSION MAY MEET IN A SESSION CLOSED TO THE PUBLIC TO CONSIDER THE FOLLOWING PURSUANT TO GOVERNMENT CODE SECTION 11126: 60

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):

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

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

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

San Francisco Baykeeper v. California
State Lands Commission

Center for Biological Diversity v.
California State Lands Commission

City of Santa Monica, et al. v. Nugent

City of Santa Monica, et al. v. Ornstein

City of Santa Monica, et al. v. Bader

City of Santa Monica, et al. v. Levy

City of Santa Monica, et al. v. Philbin

City of Santa Monica, et al. v. Greene

City of Santa Monica, et al. v. Prager

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

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

United States v. 1.647 Acres

Nowel Investment Company v. State of
California; California State Lands
Commission

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

City of Goleta v. California State Lands
Commission

World Business Academy v. California State
Lands Commission

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In re: Rincon Island Limited Partnership
Chapter 11

San Francisco Baykeeper v. California State
Lands Commission II

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

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

Redevelopment Agency of San Francisco v. John
W. Lebolt, et al.

In re: Venoco, LLC, Bankruptcy Chapter 11

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

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.

C. OTHER MATTERS.

THE COMMISSION MAY ALSO CONSIDER PERSONNEL
ACTIONS TO APPOINT, EMPLOY, OR DISMISS A PUBLIC
EMPLOYEE AS PROVIDED FOR IN GOVERNMENT CODE
SECTION 11126(A)(1).

Adjournment 60

Reporter's Certificate 62

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

2 CHAIRPERSON NEWSOM: We'll call this meeting to
3 order of the State Lands Commission. All representatives
4 of the Commission are present.

5 For the benefit of those that are here for the
6 first time or those that may be watching at home, the
7 State Lands Commission manages State property interests in
8 over five million acres of land, including mineral
9 interests. The Commission has the responsibility in the
10 prevention of oil spills at marine oil terminals and
11 offshore oil platforms and for preventing the introduction
12 of marine invasive species in the California marine
13 waters.

14 Today, we'll here requests and presentations
15 involving the lands and resources within the Commission's
16 jurisdiction, though often we stray from that.

17 That said, I welcome everyone to the fanciest
18 room we've ever been in --

19 (Laughter.)

20 CHAIRPERSON NEWSOM: -- for a State Lands
21 Commission meeting. Someone is paying for this. We'll
22 discuss it.

23 This one is best deal ever. I'm shocked. Trust
24 me, truly shocked.

25 First item have business as always the is

1 adoption of the minutes of our April 20th meeting.

2 Is there a motion to approve?

3 COMMISSIONER YEE: I'll move approval of the
4 minutes.

5 ACTING COMMISSIONER ORTEGA: Second.

6 CHAIRPERSON NEWSOM: Without objection, the
7 minutes are approved.

8 And now we'll go to our Executive Officer's
9 report. Ms. Lucchesi is not with us today. Mr. Connor
10 is. We look forward to your presentation.

11 ASSISTANT EXECUTIVE OFFICER CONNOR: Thank you.
12 It's a pleasure to be here.

13 Good afternoon, Commissioners. I only have four
14 items to report. The first is the 2017-18 budget. As you
15 know, the legislature approved the State's 2017-18 budget
16 last week. The Commission's budget is 49.945 million.
17 This is an increase over the 39.254 million proposed by
18 the Governor in January.

19 The increases is largely attributed to new
20 appropriations of 10 million to start the plug and
21 abandonment activities on Venoco's quitclaimed Platform
22 Holly and Ellwood Beach peers. And \$580,000 to secure
23 outside counsel to represent the State in Texas in the
24 Rincon Island Limited Partnership bankruptcy.

25 Other notable budget highlights include 1.4

1 million for the abandonment of the Becker Onshore Well,
2 and one million for operations and management of the Bolsa
3 Chica Lowlands Restoration Project in Orange County.

4 The second item involves amendments to the 2017
5 biennial report on the California Marine Invasive Species
6 Program. After finalizing and submitting the 2017
7 biennial report to the legislature, Commission staff
8 discovered an error with one of the database queries that
9 was used for analyzing the data for the first half of
10 2016, which was referred to in the report as 2016A.
11 Because of this, Commission staff decided to correct the
12 report to reflect the actual ballast water discharge and
13 compliance number -- numbers during the period.

14 An additional one million metric tons of ballast
15 water was discharged during the first six months of 2016
16 than was originally presented in the report. While this
17 finding change some of the graphs within section 5 of the
18 report, the overall trends and conclusions remain
19 unchanged.

20 And those overall trends are that the volume of
21 ballast water being discharged in California is
22 down -- down slightly, and the rate of compliance with
23 ballast water management requirements has improved over
24 the last two years.

25 In total, Commission staff updated five figures

1 and two tables within section 5, as well as some language
2 in the executive summary that pertains to the corrected
3 data. A revised copy of the report will be distributed to
4 the legislature and posted on the Commission's website.

5 The third item is an update on the San Diego
6 ocean planning effort. The San Diego Ocean Planning
7 Partnership with the Port of San Diego is moving forward
8 with data collection, stakeholder engagement, and
9 outreach.

10 Our team continues to collect scientific data
11 sets from a number of federal, State, and local sources,
12 including NOAA, the USGS, California Department of Fish
13 and Wildlife, Department of Conservation, and the Port
14 itself. For the interaction decision support tool, they
15 are seeking information about fiscal oceanographic and
16 biological conditions, areas of ecological significance,
17 and current resource uses such as recreational and
18 commercial fishing, transportation and shipping, as well
19 as emerging uses like aquaculture and blue tech.

20 In addition to data collection, the
21 communications and outreach team has begun scheduling
22 one-on-one stakeholder meetings to learn directly from
23 those who use this ocean space about critical issues and
24 challenges that could potentially be resolved through
25 comprehensive planning.

1 There will be multiple opportunities for the
2 public and stakeholders to provide input throughout the
3 planning process. Data collection will be ongoing as
4 well, so that we may continue to integrate the best
5 available science and data to built a tool and management
6 framework truly responsive to needs of the pilot area.

7 To further our outreach and provide information
8 and updates to everyone, we're creating a website. It's
9 sdoceanplanning.org. We anticipate the website going live
10 in the coming weeks with some introductory information and
11 more information to follow as the project progresses. We
12 encourage people to keep checking back in on it.

13 Some of our staff will travel to San Diego in
14 July to work through some project aspects, such as
15 planning for public workshops in the late summer and early
16 fall, and conduct joint stakeholder meetings, including a
17 brief -- briefing with the Navy.

18 And lastly, we have a new member of our senior
19 management. Dennis Vogel has been named the Marine
20 Environmental Protection Division's new Assistant Division
21 Chief. Dennis started with the Commission in June 2001
22 and has held the positions of Marine Safety Specialist II,
23 and Marine Safety Operations Supervisor to date. Dennis
24 has been the master organizer behind the Commission's very
25 successful biennial Prevention First conferences. Prior

1 to coming to the Commission, Dennis worked for GATX Tank
2 Storage Terminals Corporation beginning in March 1988, and
3 held positions as an operations shift supervisor, manager
4 of air quality compliance, and terminal operations manager
5 for two different marine oil terminals.

6 Dennis graduated with a Master's degree in
7 business administration with an emphasis on human resource
8 management from Loyola Marymount University in 1988.

9 Dennis is married with two grown sons, one is a
10 firefighter on an Air Force base in Oklahoma, and the
11 other is an officer aboard a Navy destroyer presently
12 deployed out of San Diego. Dennis brings a great deal of
13 experience to his new role, and we're very excited to have
14 him in this position.

15 I would like to recognize Dennis, if you could
16 just stand up briefly.

17 (Applause.)

18 ASSISTANT EXECUTIVE OFFICER CONNOR: Thank you,
19 Dennis.

20 And that concludes my report.

21 Thank you.

22 CHAIRPERSON NEWSOM: Any comments from the
23 Commissioners on or questions of Colin.

24 Thank you.

25 We will move now to -- oh, yeah, forgive

1 me -- the consent calendar.

2 And I know, Colin, you've got a number of items
3 where you want to pull from the consent calendar.

4 Do Commissioners have any items they wish pull,
5 discuss, or continue?

6 I think we have, what, C 57, 61 and 72. Any
7 others?

8 ASSISTANT EXECUTIVE OFFICER CONNOR: Yes. Also,
9 C 37 -- and they these items will be removed from the
10 agenda entirely and heard at a later date.

11 CHAIRPERSON NEWSOM: That's good.

12 Was anyone here that wanted to speak to any of
13 those items or perhaps more importantly any items that
14 remain on the consent calendar before we take action?

15 Seeing none.

16 We'll close public comment.

17 And all the remain items besides the four we just
18 pulled, is there a motion to approve?

19 COMMISSIONER YEE: So moved.

20 ACTING COMMISSIONER ORTEGA: Second

21 CHAIRPERSON NEWSOM: Moved, seconded. Without
22 objection, we'll move those items forward. And question
23 will address those four items separately.

24 Next order of business the regular calendar.

25 We've just got a few items on the regular agenda. Item

1 number 76, consider our ongoing action to ensure the
2 safety of Platform Holly in piers 421.

3 I know there's a staff presentation keep us up to
4 speed.

5 ASSISTANT EXECUTIVE OFFICER CONNOR: Yes. Seth
6 Blackmon our senior attorney will make the presentation.

7 (Thereupon an overhead presentation was
8 Presented as follows.)

9 SENIOR ATTORNEY BLACKMON: Good morning -- or I
10 guess, good afternoon, Commissioners and Chairman Newsom.

11 Do we have a clicker for the presentation?

12 Do we have a clicker to move through?

13 Sorry.

14 The primary purpose of this report today is to
15 not only update the Commission, which we've tried to do
16 regularly, but to also put this out for the public, so
17 that everyone understands all the hard work that both
18 Commission staff and the Commissioners have been involved
19 in in responding to Venoco's recent quitclaim.

20 I think that this is just a great opportunity,
21 and I think the staff report really lays out in great
22 detail, so I'll try not to double up on this all of the
23 work that's within done. So we'll hit some of the
24 highlights, and we can move through, and then if there's
25 questions I'll happily answer those.

1 CHAIRPERSON NEWSOM: Fabulous.

2 SENIOR ATTORNEY BLACKMON: As Colin mentioned my
3 name the Seth Blackmon, I'm a senior staff counsel with
4 the Commission.

5 As I said today is really going to be a Venoco
6 update. And I think just for those folks who are not
7 familiar with the Venoco location and everything else,
8 Venoco is located offshore of the City of Goleta in the
9 County of Santa Barbara. It is one of the last offshore
10 oil production platforms in the Santa Barbara channel.

11 And these two leases, 3120 and PRC 3243 make up
12 the base of where Platform Holly produces from. It
13 straddles those two leases. Also involved in Venoco's
14 quitclaim was PRC 421. PRC 421, and I have the picture
15 coming up here in a little bit, are a very old form of
16 pier based oil and gas production, so they're from shore
17 to the offshore.

18 This is a picture of Platform Holly as it
19 currently stands, and just think it's good for people to
20 understand sort of what we're looking at.

21 Very quickly, Platform Holly as actually been out
22 and in production in the, in the Santa Barbara channel
23 since the mid 1960s. It just had its 50th anniversary
24 last year. And during that time, it was owned by a
25 variety much corporations starting with Atlantic Richfield

1 through Mobil, who is now ExxonMobil. And I think the
2 critical part to this conversation that we're having today
3 is this last point, which is in 1997 then Mobil assigned
4 these leases and all the PRC 421, PRC 3120, 3242 and a
5 couple of additional facilities leases to Venoco LLC, at
6 which time -- at which time Venoco undertook all
7 operations for these leases.

8 Just a little bit of simple technical information
9 about where Platform Holly is located for folks who want
10 more information. This will as be up on our website
11 obviously after this is done. So we'll move on.

12 This is a picture of the PRC 421 piers. Just
13 upland adjacent to that is the Sandpiper Golf Course.
14 These are -- these piers were actually originally built in
15 the 1920s, and they've been completely rebuilt since that
16 time. But these are the two remnants left for this type
17 of production format, which is the onshore to offshore.

18 One of those wells is a producer, one is an
19 injector. This Commission heard an EIR on this back in
20 December of 2014 that was wrapped up in litigation, and
21 it's still closing out as a result of Venoco's exodus from
22 operations.

23 So what we really want to talk about here today
24 is the events leading up to the decommissioning.
25 Everybody is aware of the May 19th, 2015 Refugio spill,

1 and the impact that that had for the immediate region
2 producers, including ExxonMobil's federal platform off the
3 Santa Ynez unit and Venoco, Inc. The primary
4 transportation line, line 901, is owned by Plains All
5 American Pipeline. This is the line that marketed or took
6 all of Venoco's product to market.

7 One it was out of commission from the original
8 spill, there was no transportation and so Venoco
9 voluntarily shut-in, because it -- they didn't have
10 anywhere to take product. And from May 19, 2015 to
11 present Plains All American has still not fully undertaken
12 its repairs. It's starting digs and it's doing some other
13 things, but the time frame for that line being repaired is
14 still unknown, four plus years.

15 Venoco weathered this particular issue for a
16 little -- approximately two years before ultimately
17 succumbing to the costs of maintaining its operations.
18 And on April 12th notified Commission staff through our
19 Executive Officer, Jennifer Lucchesi, that they
20 were -- they were pretty sure that their economic reality
21 was they weren't going to be able to continue the leases.
22 They made that official on April 17th when they served the
23 Commission with the quitclaims, quitclaiming their
24 interests in the two leases that underlie Platform Holly
25 and PRC 421.

1 At that same time, they also, later that same
2 day, filed for bankruptcy again, a new chapter 11
3 bankruptcy suit. And this time instead of a
4 reorganization, to liquidate assets.

5 The State of California, on that same day, also
6 discharged a letter to the -- to Venoco identifying that
7 their -- they had been in breach of their lease as a
8 result of not cleaning up and remediating all of those
9 existing infrastructure on our property, and that we were
10 holding them in default. That was a predicate for us
11 calling on the bond.

12 A couple of days -- I'll come back to that. A
13 couple of days after this, and after a number of phone
14 calls over the 17th and the 18th, Commission staff got in
15 contact with the bond company and ultimately served the
16 bond company with a letter -- a formal request letter, a
17 demand letter saying it's time for you to go ahead and pay
18 us the \$22 million that we're owed.

19 We are still in negotiations with that bond
20 company. This has not been resolved yet. So we are -- we
21 are hoping that this will be resolved in the near future,
22 but there -- there are considerable obstacles to this.

23 CHAIRPERSON NEWSOM: And we'll be discussing a
24 little bit of that --

25 SENIOR ATTORNEY BLACKMON: And we will.

1 CHAIRPERSON NEWSOM: -- in closed session.

2 SENIOR ATTORNEY BLACKMON: We will.

3 And I think that it's important -- you know, I
4 really want to play up some of the things that the
5 Commission did quickly. And I think, you know, one of the
6 things we've heard from everyone we've worked with is
7 they're so impressed with how nimble we were, how prepared
8 we were to act. And largely that was due to the foresight
9 of the Commissioners and our ability to work as staff as a
10 very good team. And I think that one of the things that
11 we did up front to ensure that there was a safe transition
12 period, so that we weren't left with the facilities being
13 completely unmanned is that we negotiated a temporary
14 reimbursement agreement for services that kept certified,
15 qualified staff on the platform and at the Ellwood Onshore
16 Facility. And also part of that agreement is that they
17 have to maintain all of their permit obligations with all
18 of the other agencies, State, local and other.

19 CHAIRPERSON NEWSOM: Just -- just in that, was
20 there any -- I mean, any disruption? Was that --

21 SENIOR ATTORNEY BLACKMON: None.

22 CHAIRPERSON NEWSOM: -- pretty seam -- it really
23 was seamless.

24 SENIOR ATTORNEY BLACKMON: It was seamless, yeah.

25 CHAIRPERSON NEWSOM: Better than we anticipated.

1 That's great.

2 SENIOR ATTORNEY BLACKMON: They carried through
3 through the end of April. We took over May 1 and there
4 has been no hiccups as far as that goes.

5 CHAIRPERSON NEWSOM: No issues. All right.

6 SENIOR ATTORNEY BLACKMON: In fact, we just
7 scheduled -- or working on scheduling with the City of
8 Goleta what they call their SIMQAP review that is overdue,
9 but they had put it off because everything had been shut
10 in. But we said, hey, listen, let's do this while this
11 qualified personnel are here. Let's get the results,
12 because when we transition this to a new vendor or a new
13 contractor, we want to know what to address. So, you
14 know, when we take this over, it's going to be a
15 responsible transfer as well.

16 The other thing that I think is important is that
17 Commission staff has engaged in a robust outreach program.
18 We have talked both through conference calls and in-person
19 meetings with local agencies, municipal groups, local
20 regulatory agencies, State agencies, you know, we're
21 planning some upcoming internal meetings with State actors
22 that include the Division of Oil, Gas and Geothermal
23 Resources, the oil spill prevention group, OSPR, the
24 California State Fire Marshal. And so all of this is sort
25 of coming together in a very collaborative effort, and

1 there's a lot of synergy in this.

2 And it's also, I think, helped put a lot of the
3 local agencies' concerns to rest a little bit. I mean,
4 there's still a lot of unknowns, and -- but we are -- we
5 have a mechanism by which to work with folks and to kind
6 of really understand existing concerns and try and act on
7 them.

8 Leading to that, Commission staff published its
9 solicitation for Statements of Interest to get contractors
10 in who can actually man the platform. I think it's very
11 important to note those proposals just came in on Monday.
12 Commission staff is currently reviewing them and plans to
13 have interviews for the top -- top three some time next
14 week, with the hope of actually having a contractor in
15 lace by the end of July 7 -- 2017 before the end of the
16 reimbursement agreement, so that we can carry that over.
17 And so those are -- that's ongoing and we'll have more for
18 that at the -- at a future meeting.

19 And then I think the last thing that I wanted to
20 mention was this June 15th, a week from -- a week ago
21 today, Commission staff, led by our Executive Officer,
22 held a town hall meeting in the City of Goleta. We had a
23 very good turnout. Concerned citizens, local lawmakers,
24 statewide lawmakers.

25 And really it was just to address, as I said, the

1 concerns of the citizenry. And there was a lot of good
2 open give and take. So, you know, there's still a lot of
3 logistics that we've told people we don't have the answers
4 for, because a lot of this is going to be once we take
5 over and start turning over stones, we'll find more, but I
6 think we have laid a very good foundation for ongoing
7 outreach and also a very responsive kind of communication
8 route.

9 The decommissioning process is the other thing.
10 This is the number one question we get what's going to
11 happen, how are you doing it? And so we've kind of broken
12 this up into three phases. We're already in phase one.
13 That was just to continued ongoing operations without
14 think kind of gap. That will be concluded by July 31st,
15 2017.

16 Phase two is the contractor selection and
17 implementation of the plug and abandonment process, which
18 we note here in the shorthand as P&A. So the P&A process
19 for the 30 wells on Platform Holly and the two wells on
20 PRC 421. Right now estimates on time that we're looking
21 at are really kind of shaping up to be about we have 20 to
22 36 months here. We're seeing consistent number of two and
23 a half years plus for the P&A. So just under a month per
24 well, but that may be a little bit optimistic. So, you
25 know, we do also have that on the outside 36 months is a

1 very real likelihood.

2 And then once that's complete, we move into phase
3 3, which is the big unknown. That is the actual physical
4 decommissioning of the platform and the existing
5 infrastructure for both PRC 421 and all of the associated
6 facilities.

7 I think it's important again to just note this
8 for folks, we don't have any kind of accurate estimates on
9 this at this time. This is going to require some
10 professional grade work. We have some comparables.

11 CHAIRPERSON NEWSOM: Is that where that 125 comes
12 from?

13 SENIOR ATTORNEY BLACKMON: That it is.

14 CHAIRPERSON NEWSOM: Yeah. I was going to ask
15 you.

16 SENIOR ATTORNEY BLACKMON: A large -- so -- so,
17 yeah, and I think just for right now, the estimates on the
18 final decommissioning phase for Holly and plat -- and PRC
19 421, it's think where between, depending on who you
20 ask -- and this is based on professional estimates --
21 anywhere between like 25 million and 40 million on top of
22 existing P&A costs.

23 And I think that some of this will modify based
24 on what we learn out on the platform. You know, if -- as
25 we go through the P&A process, some of those costs may

1 come down, because to address existing issues. But a lot
2 of this is really kind of a wait and see. What we've --
3 what we've realized in absolute candidness here is that
4 the estimates is only as good as the paper it's on. Once
5 you get down into it, things change.

6 And so we're really hopeful that our estimates
7 are as accurate as they can be for now with kind of a
8 larger, and, you know, honest approach, which is we hope
9 we can come in under, but we're sort of preparing for the
10 worst on this. And I think that -- that does represent
11 that that 125 million --

12 CHAIRPERSON NEWSOM: Got it.

13 SENIOR ATTORNEY BLACKMON: -- number that you're
14 referencing.

15 But the nice thing will be, and we've heard a lot
16 of positive reinforcement from local citizenry is that all
17 of Goleta, Santa Barbara, and sort of the Santa Barbara
18 coastline is very excited by the prospect of the platform
19 and the peers being eventually gone. And we've tempered
20 that with we don't know how quickly that will happen. The
21 plug and abandonment is critical to safety -- health and
22 safety of both the environment and the coastline -- the
23 people on the coastline, but that the decommissioning may
24 have to wait awhile as we continue to figure out where
25 funding sources come from.

1 We'll work, you know, within the State to ensure
2 some of this, but also there's a larger issue, which is
3 also mentioned in the staff report, where we are working
4 with ExxonMobil because we believe that they share a very
5 real liability on this. And so we're trying to work that
6 out right now.

7 CHAIRPERSON NEWSOM: And are they as of like mind
8 at the stage or -- they seem, at least, to have some tacit
9 acknowledgement.

10 SENIOR ATTORNEY BLACKMON: Yes. And I'd leave it
11 with that. There's a tacit acknowledgement of some
12 liability. The degree is unknown at this point.

13 CHAIRPERSON NEWSOM: Right.

14 SENIOR ATTORNEY BLACKMON: They're willing to
15 engage, which say start.

16 CHAIRPERSON NEWSOM: Good.

17 SENIOR ATTORNEY BLACKMON: We had a meeting with
18 them two weeks ago, and we will be meeting again with them
19 on June 26th on Monday in our Long Beach office on a more
20 technical level to address some issues that they're trying
21 to work through, as they try to assess their liability.

22 Big picture, you know, we've got to figure out
23 what the -- what that looks like, and then if there's a
24 delta between what is actually needed and what they're
25 kind of proposing. So there's still a lot of unknowns

1 there.

2 And then the final issue for us today is that as
3 this is mostly an update, there was also a lot of work
4 being done very quickly through our special meetings and
5 others. We wanted to bring out so everyone in the public
6 understood exactly what authorizations had been made to
7 Jennifer, and the executive office, and bring those out
8 for transparency purposes, because a lot of people, you
9 know, are curious about how we're acting and why.

10 So we included in our -- in our staff report and
11 staff recommendations to acknowledge the prior
12 authorizations to the Executive Officer and that was the
13 staff recommendation for today.

14 CHAIRPERSON NEWSOM: Hear, hear.

15 SENIOR ATTORNEY BLACKMON: And that's --
16 concludes my presentation.

17 CHAIRPERSON NEWSOM: Great. You know, and I'll
18 just compliment. I actually coincidentally had a town
19 hall out there a couple weeks ago, and as you say, I mean,
20 universally --

21 SENIOR ATTORNEY BLACKMON: Yeah.

22 CHAIRPERSON NEWSOM: -- you guys have -- I mean,
23 obviously, people are generally pleased, but very pleased
24 with the work of the staff. So I just want to acknowledge
25 that --

1 SENIOR ATTORNEY BLACKMON: Thank you.

2 CHAIRPERSON NEWSOM: -- and keep that going.

3 SENIOR ATTORNEY BLACKMON: Yeah, we do too.

4 CHAIRPERSON NEWSOM: Yeah.

5 SENIOR ATTORNEY BLACKMON: Thank you,

6 Commissioners.

7 CHAIRPERSON NEWSOM: Thank you,

8 Thanks.

9 Any other comments?

10 Anyone here that wanted to speak to this item?

11 Seeing none, we'll close public comment.

12 Thank you for the update.

13 We'll move to the next item, which is item number
14 77.

15 COMMISSIONER YEE: Do you need action on this
16 item?

17 ASSISTANT EXECUTIVE OFFICER CONNOR: We do need
18 to have action on that.

19 CHAIRPERSON NEWSOM: Oh, is that -- right, okay.

20 ASSISTANT EXECUTIVE OFFICER CONNOR: It's an
21 acknowledgement of the --

22 CHAIRPERSON NEWSOM: An acknowledgement of the
23 work, that's the action?

24 (Laughter.)

25 ASSISTANT EXECUTIVE OFFICER CONNOR: So you need

1 to vote.

2 CHAIRPERSON NEWSOM: Information action okay.
3 Curious. Well, let's move -- that's a -- this
4 controversial.

5 (Laughter.)

6 CHAIRPERSON NEWSOM: This will be interesting the
7 outcome. Oh, it's not. All right. I guess this is --

8 COMMISSIONER YEE: Yeah. No, I will so move.

9 First, let me just thank the staff for just the
10 terrific diligence and obviously a lot of uncharted
11 territory with respect to this responsibility, and a lot
12 of heavily lifting. So thank you.

13 And with that, I will move the staff
14 recommendation to authorize the executive officer to call
15 on bond and to enter into all contracts and agreements
16 necessary with respect to actions related to this item.

17 CHAIRPERSON NEWSOM: Hear, hear.

18 ACTING COMMISSIONER ORTEGA: I'll second.

19 CHAIRPERSON NEWSOM: Seconded.

20 And I'll second with the asterisks when we get
21 out of closed session, because I want to --

22 (Laughter.)

23 CHAIRPERSON NEWSOM: -- see what you guys have
24 on your mind. Anyway, yeah, we'll move that item forward
25 then.

1 COMMISSIONER YEE: Okay.

2 CHAIRPERSON NEWSOM: Item 77, Owens Lake. And I
3 know we have a number of speakers -- or a presentation,
4 but we also have a number of public that have requested to
5 sneak on this item. We're grateful that you're here as
6 well.

7 ASSISTANT EXECUTIVE OFFICER CONNOR: And Grace
8 Kato, our Assistant Chief of the Land Management Division
9 will give this presentation.

10 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:
11 Shorter than Seth.

12 (Laughter.)

13 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:
14 Good afternoon, Commission -- Chair Newsom and
15 Commissioners. My name is Grace Kato and I'll be giving a
16 brief presentation on Item 77, which is a resolution
17 expressing the Commission's support for participating in
18 the development and submittal of a nomination of Owens
19 Lake to the National Register of Historic Places pursuant
20 to the National Historic Preservation Act.

21 As you know, Los -- the Los Angeles Department of
22 Water and Power, or DWP, leases a large area of the mostly
23 dry Owens Lake for purposes of conducting dust mitigation
24 activities as ordered by the Great Basin Unified Air
25 Pollution Control District. This lease was first issued

1 in 1999, and has been amended 18 times. The lease is set
2 to expire April of 2019.

3 Owens Lake is also a geographically and
4 culturally affiliated with five Native American tribes:
5 The Big Pine Paiute Tribe, the Bishop Paiute Tribe, the
6 Fort Independence Paiute Tribe, the Lone Pine
7 Paiute-Shoshone Reservation, and the Timbisha-Shoshone
8 Tribe.

9 These tribes have occupied the lake and
10 surrounding areas for thousands of years, shifting their
11 residency, resource use, and land use patterns as the lake
12 levels rose and fell over time. The tribes as experienced
13 displacement and tragedy at the hands of settlers arriving
14 to occupy the Owens Valley area.

15 To this day, culturally significant resources and
16 sites remain on the lake, some known due to archaeological
17 surveys or local tribal knowledge, but others still
18 undiscovered. The landscape includes ceremonial areas,
19 massacre sites, grinding rocks, figurines, arrowheads,
20 rock features and other artifacts.

21 Resolving conflicts between dust control
22 obligations and tribal resource protection has been a
23 long-standing challenge on Owens Lake, leading, in several
24 cases to project delays, redesigns, and increased costs to
25 DWP.

1 In addition, tribal representatives have stated
2 disagreement with the eligibility evaluations performed by
3 DWP's archaeologists on certain resources discoveries.

4 The Cultural Resource Task Force, or CRTF, was
5 formed in 2013 to advise on the treatment of cultural
6 resources on DWP's phase nine, ten dust control measures
7 on the lease. In 2016, members of the CRTF, particularly
8 tribal members, requested recommending development of a
9 nomination to the National Register of Historic Places as
10 a way to recognize the significance of the lake as a
11 cultural landscape with great value to the tribes.

12 This request was consistent with two letters
13 written to DWP by the State Historic Preservation Officer
14 in 2014 and 2015, and a general consensus that an
15 additional mechanism by which to ensure maximum
16 consideration of cultural resources and meaningful tribal
17 consider -- participation was needed.

18 After meeting with staff of the State Office of
19 Historic Preservation in February, the CRTF separately
20 with DWP in March, and again with CRTF in June, Commission
21 staff believes that Owens Lake would likely meet the
22 eligibility criteria for listing on the National Register
23 for its historic and ongoing value to the tribes and for
24 the lake's potential to yield significant archaeological
25 data.

1 Therefore, staff recommends the Commission adopt
2 the resolution in exhibit A supporting the development of
3 a nomination for submittal to the National Register.
4 Staff believes this action is not only consistent with the
5 Commission's Public Trust policy, responsibilities, and
6 Tribal Consultation Policy, but it would be also be
7 beneficial to the tribes, and to DWP, and that the tribe's
8 concerns would be fully integrated into the planning
9 process and DWP would accrue a level of predictability in
10 proposing and implementing their dust control
11 responsibilities.

12 Thank you, and I'm available for any questions.

13 CHAIRPERSON NEWSOM: Just very briefly, what's
14 the process or how brief is the process itself after
15 nomination? Is this a multi-year effort? Does it require
16 collaboration with other agencies? Does it require any
17 political muscle at the federal level, or does it require
18 just, you know, patience?

19 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

20 I'm going to defer to Pam on that particular
21 question. It is a fairly lengthy process.

22 CHAIRPERSON NEWSOM: Yeah. What is the process?
23 Yeah. Thank you.

24 ASSISTANT CHIEF COUNSEL GRIGGS: Good afternoon.
25 My name is Pam Griggs. It is a lengthy process. What

1 we're advocating here is beginning that process. First,
2 there has to be a lot of information developed. A lot of
3 that is already available, and will be developed with
4 tribal input. A nomination according to criteria that
5 the National Register group from the National Parks
6 Service promote -- puts out will be completed and filled
7 out. There will be a lot of effort to determine what
8 would be the appropriate boundaries. So there's -- there
9 will be also a public input process.

10 Then it would go to the staff of the Office of
11 Historic Preservation for their consideration and review.
12 And then it would go to the State Historical Resources
13 Commission and there would be opportunity for public
14 comment there. And assuming that they believe that it is
15 worthy of nomination, then it goes to Washington D.C. to
16 the National Register Unit of the National Parks Service.
17 It's a lengthy process.

18 CHAIRPERSON NEWSOM: Got it. I appreciate.

19 ASSISTANT CHIEF COUNSEL GRIGGS: Probably --

20 CHAIRPERSON NEWSOM: And our obligation -- and we
21 just have the staff time associated with this. There's no
22 appropriation attached to the nomination process?

23 ASSISTANT CHIEF COUNSEL GRIGGS: No.

24 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:

25 Correct.

1 CHAIRPERSON NEWSOM: Good. And just to -- I know
2 there's a representative from the City of L.A. and asked
3 only if we had questions. But without having to overly
4 burden the rep, I mean, they're -- they're on board?

5 ASSISTANT CHIEF COUNSEL GRIGGS: We --

6 CHAIRPERSON NEWSOM: Did you coerce them or are
7 they --

8 (Laughter.)

9 ASSISTANT CHIEF COUNSEL GRIGGS: No, no, no.

10 CHAIRPERSON NEWSOM: -- enthusiastic?

11 ASSISTANT CHIEF COUNSEL GRIGGS: I'll let you
12 speak to that.

13 CHAIRPERSON NEWSOM: Unfair question. I'm sorry.

14 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:
15 I could let -- I assume Julie --

16 CHAIRPERSON NEWSOM: They're not opposed to it?

17 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:
18 They are not opposing our --

19 CHAIRPERSON NEWSOM: All right.

20 LAND MANAGEMENT DIVISION ASSISTANT CHIEF KATO:
21 -- our position at this point. And we've had
22 numerous conversations with them through the Cultural
23 Resource Task Force regarding this issue.

24 CHAIRPERSON NEWSOM: Thank you.

25 ASSISTANT EXECUTIVE OFFICER CONNOR: Excuse me.

1 I would also add that Julie Riley is available to -- if
2 you have any questions of DWP, so...

3 CHAIRPERSON NEWSOM: Yeah. No, that's good.
4 Well, you know, she's on the clock, so she may want to say
5 something.

6 (Laughter.)

7 CHAIRPERSON NEWSOM: But, well, if we have any
8 additional questions. I know there's a number of other
9 speakers.

10 Any -- any questions of staff at this stage?

11 So let's open up to public comment. I have a
12 number of speakers. Terrie Robinson, Kathy Bancroft, and
13 Phill Kiddoo. And come on up in any order you wish. And
14 anyone that didn't fill out a card, if they could, and you
15 could happily speak to this item.

16 Grateful.

17 MS. ROBINSON: Chairman Newsom, Commissioners, my
18 name the Terrie Robinson. I'm the general counsel for the
19 Native American Heritage Commission. On behalf of the
20 Commission, we rise to support the resolution. And we
21 also have a support letter for your record. And we were
22 supporting this -- what we will be recommending as staff
23 for our own Commission in our -- the Commission's meeting
24 this July is the adoption of a similar resolution. And I
25 didn't anticipate that there would be no opposition, but

1 the other thing that we were considering recommending to
2 our own commission is considering declaring Owens
3 Lake -- or at least the State-owned portions as a sacred
4 site under our statutes, which are Public Resources Code
5 509797 and 509794(g).

6 And our process for declaring it a site is less
7 time-consuming, less expensive --

8 CHAIRPERSON NEWSOM: Right.

9 MS. ROBINSON: -- and effective. But hopefully
10 we don't have to do that.

11 CHAIRPERSON NEWSOM: Got it.

12 MS. ROBINSON: And I'm -- this process. And the
13 tact that there's no opposition gives me hope. Owens Lake
14 is one of the most sensitive sites in the State of
15 California for cultural resources. And not just with
16 respect to the tribes that are there. There is a history
17 of other tribes gathering and meeting in this place.

18 And what's not working and the reason that this
19 nomination should go forward is the piecemeal evaluation
20 of the lake, instead of viewing it in its entirety and
21 planning to manage and protect the resources with a more
22 comprehensive approach and not the piecemeal approach
23 that's been necessitated by the project. But the project
24 will go on. The dust mitigation must and can go on, but I
25 think this will help foster a better approach and greater

1 consideration of the significance of the entirety of the
2 lake to the tribes and protection of those cultural
3 resources.

4 So we just -- we're very happy to hear that
5 there's no opposition. We -- the Commission supports it.
6 We'll be considering this -- a similar resolution. And to
7 the extent that it matters, we also applaud the work that
8 was done by your staff in terms of the agenda item and
9 including in the lease in your consent items --

10 CHAIRPERSON NEWSOM: Right.

11 MS. ROBINSON: -- a Tribal Consultation Policy
12 and a tribal liaison. And there is not a lot of work to
13 be done to create a Tribal Consultation Policy. The
14 Native American Heritage Commission has already worked to
15 create one with Inyo County as a result of our lawsuit
16 against them. It's on their website. It already
17 addresses what's going on. So there's not a lot of work
18 and not a lot of money. So with that --

19 CHAIRPERSON NEWSOM: Fabulous.

20 MS. ROBINSON: -- thank you very much.

21 CHAIRPERSON NEWSOM: Grateful.

22 MS. ROBINSON: And we're supportive.

23 CHAIRPERSON NEWSOM: Thank you so much. Thank
24 you.

25 Kathy. Ms. Bancroft.

1 MS. BANCROFT: Hello. My name is Kathy Jefferson
2 Bancroft. And I'm the Tribal Historic Preservation
3 Officer for the Lone Pine Paiute Shoshone Reservation.

4 I just came not knowing what I was going to say.
5 But driving down here today, I was reminded of my
6 grandmother as a young girl stood on the banks of the
7 Owens Lake and was told by her uncle that you guys are
8 going to live to see this lake completely drive. And they
9 told him he was crazy, because there was no way you could
10 dry out a lake that big.

11 You know, I always look at the things my
12 grandmother saw in her lifetime, and the changes they went
13 through. And I -- that's one strong person who dealt with
14 that. And so that's why I do everything I can to help
15 protect what's there. I've been on the Owens Lake in the
16 project since 2002. I have seen changes, both good and
17 bad. Things have overall gotten better. But the past has
18 made a lot of mistakes and we're trying to make them right
19 now, but there's so much going on, and not -- like, like,
20 Terrie said it's a piecemeal approach. The lake needs to
21 be looked at as a whole.

22 There needs to be some kind of oversight. You
23 need to listen to the tribes. We have a lot of knowledge
24 that's being ignored. I just had them yesterday. They
25 had to go survey a new area. And I said, yeah, it's been

1 surveyed three times. And they go why is there nothing on
2 the record? And I said because I don't control what they
3 write down.

4 So this is how the archaeology has been done out
5 there. It's a little scary, because it's being destroyed
6 at a faster pace. And we're doing everything we can to
7 save it. And something needs to be done.

8 This is -- what -- we spoke about this over a
9 year ago. We've got to do something. Let's make it a
10 district. And it's -- it's been a slow process, but thank
11 you for bringing this up, because something -- we have to
12 start somewhere.

13 The tribe is also talking about making a
14 traditional cultural property. We're in that beginning
15 process of that, the Owens Lake and more. But there needs
16 to be some kind of protection and the tribes' voices need
17 to be heard.

18 So I just really want to thank you for this,
19 because it's something that is not just personal -- it is
20 personal to me. It's not just artifacts out there. It's
21 not just a dry lakebed, but it's part of my life and part
22 of my family for thousands of years. That means something
23 here. And it's not mine, but I'm here to protect it. And
24 I'm going to do whatever I can to protect it.

25 SO thank you for this opportunity to talk,

1 CHAIRPERSON NEWSOM: Thank you. Thanks for
2 making it down here. Grateful.

3 And, Phill.

4 MR. KIDDOO: Good afternoon, Commissioner Newsom,
5 Commissioner Member Yee and Commission Member Ortega.

6 My name is Phillip Kiddoo. And I am the Air
7 Pollution Control Officer for the Great Basin Unified Air
8 Pollution Control District. I'm the Executive Officer of
9 the agency. And my job is to protect the public of Inyo,
10 Mono, and Alpine counties from the harmful effects of air
11 pollution.

12 Uncontrolled PM10 dust emissions from the
13 desiccated lake of Owens Lake in the Great Basin was the
14 largest source of dust pollution in the nation. The good
15 news, today, the Los Angeles Department of Water and Power
16 has controlled emissions up to 96, 98 percent.
17 Magnificent milestone. Monumental achievement.

18 This success is celebrated by all air-breathing
19 residents of Inyo County and the communities around Owens
20 Lake.

21 At this time, the Owens Valley planning area is
22 still in nonattainment for PM10, a criteria pollutant, the
23 area designated nonattainment for PM10 by the United
24 States Environmental Protection Agency. This spring the
25 EPA approved Great Basin's State Implementation Plan to

1 reach attainment.

2 This has not been done since 1998. This plan is
3 to control lakebed emissions by controlling the dust from
4 48.6 square miles with a large price tag. The fact that
5 DWP has made it this far so successfully needs to be
6 recognized but we're not quite done.

7 Currently, DWP and Great Basin under a stipulated
8 order of abatement and a settlement agreement have
9 provisions and a protocol to protect cultural resources
10 through the Cultural Resource Task Force. This has
11 allowed the avoidance of dust control areas in the
12 cultural resource areas that meet either the California
13 Historic Resources Criteria or the National Historic
14 Places Criteria.

15 Currently, these areas avoided for dust
16 mitigation are being monitored by Great Basin. They'll
17 be -- continue to be monitored into the future, and, not
18 at this time, but in the future will be decided if these
19 areas need controls in place. The Owens lakebed is very
20 dynamic. This may be successful in some places, but not
21 all.

22 In addition to these areas, there's another
23 additional 4.8 square contingency miles that Great Basin
24 my issue orders for dust control abatement to meet the
25 State or national air standards.

1 If any of these areas are issued controls, it is
2 likely that LADWP will have to consider the cultural
3 resources in the context of an archaeological district.
4 Initiating this process now provides all parties
5 predictability, opportunity for participation,
6 consolidation of efforts, transparency, planning aid, and
7 most importantly, from an air pollution standpoint, this
8 will not result in the inevitable time delay.

9 A time delay equates to prolonged exposure to the
10 harmful effects of air pollution. The longer this goes,
11 the more exposure, the more harm to human health.

12 As a public health officer, in enforcing the laws
13 of the public health code, it is my responsibility to
14 prevent this. The reason I stand before you today in
15 support of your adoption of this resolution that's being
16 considered is not that it is only the right thing for the
17 California State Lands, but it is also the right thing for
18 the Great Basin Unified Air Pollution Control District to
19 support.

20 Thanks.

21 CHAIRPERSON NEWSOM: Thanks so much. Thank you
22 for being here.

23 Anyone else that didn't speak -- fill out a
24 speaker's card that wishes to speak in

25 Seeing none. We'll close public comment.

1 Julie, I appreciate you being here and being
2 available for questions, if we need it.

3 Are there any -- any other staff comments or
4 any -- don't feel compelled.

5 (Laughter.)

6 ASSISTANT EXECUTIVE OFFICER CONNOR: No. No
7 further staff comments. Thank you.

8 CHAIRPERSON NEWSOM: Any comments from the
9 Commission?

10 Just -- none.

11 Thank you. Thanks for coming out. Thank you to
12 staff for organizing this. Thank you for the consensus,
13 at least we feel in this room, on this process. And let's
14 begin anew this process. And let us know and keep us
15 up-to-date on the things we can do to move it along, so
16 this is not a 35-year process, agency to agency bouncing
17 around.

18 With that, this is -- is this an item we move as
19 well?

20 ASSISTANT EXECUTIVE OFFICER CONNOR: Yes.

21 CHAIRPERSON NEWSOM: This one makes more sense to
22 me.

23 (Laughter.)

24 CHAIRPERSON NEWSOM: Is there a motion?

25 COMMISSIONER YEE: Yeah. I'll move adoption of

1 the resolution supporting the Owens Lake nomination.

2 CHAIRPERSON NEWSOM: Great.

3 ACTING COMMISSIONER ORTEGA: Second.

4 CHAIRPERSON NEWSOM: Seconded.

5 Without objection.

6 Thank you all very much. Thanks for being here.

7 We'll move that item forward.

8 We've got two other items on the regular agenda.
9 Item number 78, which this is -- I'm looking forward to
10 this one. We have -- we have staff presentation and this
11 has to do with our President's Executive Order recently.

12 ASSISTANT EXECUTIVE OFFICER CONNOR: And Sheri
13 Pemberton, our Chief of External Affairs, will give the
14 presentation.

15 CHAIRPERSON NEWSOM: Fabulous.

16 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
17 PEMBERTON: Thank you.

18 This -- this item recommends that the Commission
19 oppose a recent executive order the President issued
20 called the Implementing an America First Offshore Energy
21 Strategy that would expand oil and gas development in
22 federal waters throughout the nation. That's really the
23 core of the order.

24 The order is predicate on the notion that
25 encouraging oil and gas exploration and development in

1 federal waters will make the nation a global energy
2 leader, foster energy security, and make our economy
3 vibrant.

4 The order would reopen the 2017-22 five-year
5 Outer Continental Shelf Oil and Gas Lease Plan, which
6 precludes sales in the Pacific area currently. And the
7 wheels are already in motion to do that. The first step,
8 the request for information, is expected to be published
9 this summer. And from there, the draft program would take
10 about six months to be issued.

11 The order also opens up certain areas in the art
12 particular to oil and gas exploration and development and
13 undermines climate change preparedness.

14 I think anyone who flies into our coast can see
15 our amazing, magnificent coastline. And this order has
16 real potential to open up those areas near our coast to
17 additional oil and gas development.

18 And then there are the implications for climate
19 change. Climate change, which scientists around the world
20 consider to be a fact, is one of the most critical issues
21 in California and the nation. And this order would
22 reverse progress toward climate change preparedness.

23 And California is the sixth largest economy in
24 the world, and takes climate change seriously. And we've
25 led the nation in addressing climate change by reducing

1 greenhouse gas emissions, and pioneering renewable energy.

2 And so all -- for all those reasons, the staff
3 recommends that the Commission oppose this Executive
4 Order.

5 CHAIRPERSON NEWSOM: Fabulous. You had me at the
6 mic.

7 (Laughter.)

8 CHAIRPERSON NEWSOM: Any -- I mean, let's
9 end -- we'll dispense with any public comment on this?
10 Anyone wish to speak on this?

11 Seeing none. We'll close public comment.

12 Any thoughts -- I mean, we've made our voices
13 heard on this, haven't we?

14 COMMISSIONER YEE: We have.

15 CHAIRPERSON NEWSOM: So I mean, this is -- this
16 is hardly news.

17 COMMISSIONER YEE: Yeah.

18 CHAIRPERSON NEWSOM: Any additional comments, Mr.
19 Connor?

20 ASSISTANT EXECUTIVE OFFICER CONNOR: I thought we
21 did have one speaker on this.

22 CHAIRPERSON NEWSOM: Oh, we did? I didn't see.
23 Forgive me.

24 Oh, Graham. Yeah, there you are way in the back.
25 Thank you. I apologize. The long walk.

1 MR. HAMILTON: Long walk. I'm not going to say
2 anything that is going to contradict anything that you
3 guys are doing here.

4 But for the record, my name is Graham Hamilton.
5 I'm the chapter coordinator for the Surfrider Foundation's
6 west L.A. Malibu chapter. I would just like to make a
7 statement here on behalf of our organization for the
8 record.

9 Californians who love the Pacific, the creatures
10 within it, and the economic stability it brings to our
11 State must immediately fight back against the Trump
12 administration's America first offshore energy strategy
13 Executive Order.

14 President Trump's April 28th Executive Order
15 directly threatens the existing Channel Islands, greater
16 Farallones, and Cordell Banks National Marine Sanctuaries
17 along with the nominated Chumash National Marine
18 Sanctuary.

19 California's suite of national marine sanctuaries
20 is the largest in the United States and reflects the
21 State's commitment to marine protection as an integral
22 part of our economic well-being, and our cultural
23 heritage.

24 California's offshore waters are some of the most
25 biologically diverse areas in the world. As the impacts

1 of warming waters ocean acidification, overfishing, and
2 oceanic industries mount, maintaining protection of our
3 coast is paramount to safeguarding California's roughly
4 \$45 billion ocean economy.

5 My colleagues and I at Surfrider are heartened to
6 see the State Lands Commission once again take its
7 obligation to California's citizens seriously by
8 responding meaningfully to these very serious threats
9 against the Public Trust.

10 Thank you.

11 CHAIRPERSON NEWSOM: Grateful. Thank you.

12 Thank you. Anyone else that wishes to speak, was
13 inspired to speak and hasn't filled out a card?

14 We'll now normally close public comment.

15 And I, you know, want to acknowledge the
16 Commission. We've been pretty vocal about this right
17 after the Executive Order came out. I think, frankly,
18 when it was rumored to have come out, I think we had
19 already sent out statements of opposition, and without
20 even having the chance to dialogue. And not surprisingly,
21 this Commission, particularly representation from the
22 Governor's office and I know Commissioner Yee's leadership
23 on this, and my own particular bias and passion, we will
24 stand four square against any efforts and attempts to
25 expand that kind of production or expansion.

1 And, you know, we've got plenty of levers, not
2 the least of which you've got to get it onshore. Good
3 luck getting a lease. Good luck getting through this
4 Commission and getting through a lot of local
5 jurisdiction. It's not going to happen. And it's one of
6 those times where it's nice to be in a position like we
7 are in, so we can say that with some conviction, but also
8 with some formal authority as well.

9 So anyway grateful for that leadership on behalf
10 of everybody present and the staff in particular.

11 Is there a motion to approve the resolution?

12 COMMISSIONER YEE: So moved.

13 ACTING COMMISSIONER ORTEGA: Second.

14 CHAIRPERSON NEWSOM: Without objection, we'll
15 move the item.

16 That leads us to the last item, a relevant item,
17 environmental justice. We have an update, because we've
18 had a number of discussions around this issue and see
19 where we are in terms of our updated Environmental Justice
20 Policy.

21 ASSISTANT EXECUTIVE OFFICER CONNOR: And Sheri
22 Pemberton will give this presentation as well.

23 CHAIRPERSON NEWSOM: Thank you.

24 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
25 PEMBERTON: Thank you. This is an update about our

1 efforts to revise the Commission's Environmental Justice
2 Policy. We have done a lot of work and we're making a lot
3 of progress, but we also realize we've just barely
4 scratched the surface.

5 We have an outreach plan, which we described at
6 the April Commission meeting. And that focuses on
7 outreaching to the environmental justice communities in
8 key areas throughout the State. We also have an internal
9 staff team that we've established, and we're doing the
10 internal groundwork to be prepared for our outreach
11 sessions and develop relationships with the community.

12 We're seeking some baseline staff training that
13 will educate or staff about environmental justice and how
14 it applies to our work. And we're talking to other
15 agencies about their training programs, and just
16 discovering that there's a lot of great resources out
17 there. We spoke to CalEPA about the prospect of their
18 environmental justice task force delivering a training for
19 our staff. And we think that this training will be great
20 and really important for -- for our work.

21 Another thing we're doing is using the California
22 Environmental Screen -- CalEnviroScreen tool to help us
23 identify where to do our outreach. And we're looking at
24 the areas that are most burdened. There's a lot of great
25 robust information on CalEnviroScreen, so that will be a

1 great tool for our staff.

2 Earlier this month, we participated in the Los
3 Angeles Environmental Justice Network monthly meeting, and
4 had an outreach session with the participants. They
5 talked about a lot of issues and concerns related to the
6 extent of the Commission's jurisdiction and how we
7 implement our authority.

8 We heard that building mutual respect and trust
9 among individual communities is important, and also
10 showing through our actions that communities are being
11 listened to and heard is important.

12 We also heard that putting effort into policy
13 implementation is equally important as developing a
14 policy. And they'd like to see the Commission focus on
15 doing that. And they'd also like to see the Commission
16 have meetings in areas that are accessible to the
17 environmental justice community.

18 CHAIRPERSON NEWSOM: Yeah. Hear, hear.

19 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
20 PEMBERTON: And another recommendation was to have
21 listening sessions with other -- other -- other
22 organizations and do site visits. And so now we're in the
23 process of determining where to have additional outreach
24 sessions, such as the Delta, Long Beach, L.A., Ventura,
25 and other areas.

1 And our goal is to find the key people in each
2 region, and then figure out how to approach the
3 communities groups and focus our outreach so it's
4 effective. We're anchoring our outreach on listening and
5 learning about the issues and concerns facing the
6 environmental justice community. And we think that
7 focusing on developing these relationships will be
8 critical, because those staff will be the conduit for our
9 successful outreach.

10 We're also discovering that environmental justice
11 communities are often unfamiliar with the Commission. So
12 part of our outreach is sharing information about the
13 Commission and what we do. This is an important issue and
14 we're going to continue to do our best and work hard.
15 We're really excited about the work and we're committed to
16 doing it well.

17 Thank you.

18 CHAIRPERSON NEWSOM: Thank you.

19 COMMISSIONER YEE: Thanks for the report, Sheri.
20 And this is a pretty major undertaking, and understanding
21 that other agencies are going through similar processes.
22 I think this Commission has a lot of potential to really
23 provide some leadership here, one, because so much of our
24 work is stakeholder driven. And I hope we're not
25 reinventing a lot of processes to really figure out how to

1 do this.

2 I would agree with the feedback you've gotten. A
3 policy is a policy, but really it's our ongoing engagement
4 and being sure that we really are incorporating many of
5 these communities into the work that this Commission does.

6 I'm mindful of a similar effort at the Coastal
7 Commission, and I hope there's some coordination with the
8 Coastal Commission. But I think with respect to the work
9 that we do, perhaps a place to start might be just
10 highlighting some of the areas where it makes sense to
11 have the voice of the environmental justice communities at
12 the table. So whether it's air quality at the ports,
13 issues of public access, maybe even marine planning with
14 respect to economic development opportunities,
15 that -- just to build -- to kind of give the public a
16 better sense of our reach that would impact these
17 communities, I think would -- I never use impact as a
18 verb -- that would affect these communities that could be
19 part of the -- not just education, but also an invitation
20 for them at that point.

21 I feel like this could take a long time if we're
22 not being a little smarter about how we put the
23 information out there and really have them actively
24 involved at the outset.

25 So -- and Mr. Chairman, I'm happy to put

1 some -- to devote some time to this. This is an important
2 issue.

3 CHAIRPERSON NEWSOM: No, I know.

4 COMMISSIONER YEE: And certainly, I think
5 there -- our paths cross probably each of us with these
6 communities in other venues, that we certainly can be
7 helpful in terms of bringing those to the table.

8 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
9 PEMBERTON: Great. Thank you.

10 COMMISSIONER YEE: Yeah. But I think the
11 coordination with the Coastal Commission might be
12 important, given that there might be some overlap, but
13 also being distinct with respect to our own jurisdiction
14 here.

15 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
16 PEMBERTON: I agree completely. I'm glad you mentioned
17 that. And we are -- we are coordinating with the Coastal
18 Commission staff and excited about that prospect. We're
19 hoping we can do the training that I spoke about as a --
20 as a dual training with Coastal Commission staff and State
21 Lands Commission staff together --

22 COMMISSIONER YEE: Um-hmm.

23 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
24 PEMBERTON: -- and perhaps have multiple trainings and
25 host outreach sessions together in different places where

1 we have shared jurisdiction.

2 COMMISSIONER YEE: Okay. Great.

3 CHAIRPERSON NEWSOM: Appreciate everything you
4 said. So scope this out, where are we in the process?
5 Give me a timeline. Give my a sense of where you are.

6 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
7 PEMBERTON: Yeah. It's hard to -- it's hard to layout the
8 timeline. I think we went into this really optimistically
9 thinking we'd -- we'd move really fast, and we're
10 discovering that there's a lot of sensitivities, and
11 it's -- it's a really complex issue. So -- so we want to
12 be careful, and we want to make sure that we're educated
13 and approaching the outreach the right way before we do
14 the outreach.

15 We had our first outreach session, and then I
16 think we're hoping to do more outreach over the next
17 several months, and combine that with a staff training,
18 and then see what we hear about what people think we
19 should include in our policy, and then put together a
20 draft policy, and then recirculate that back out to the
21 people in the community that we've talked to.

22 It's hard to predict the timeline for that.
23 We're also hearing that a lot of people over July and
24 August are out on vacation, and so -- so maybe those are
25 harder times to do outreach. But we are -- I mean, we're

1 working really diligently, and hard, and have already kind
2 of hit the ground running, so -- as far as we can.

3 COMMISSIONER YEE: Can I make a suggestion?

4 I think what practically might happen is that the
5 policy will emerge on its own, and not be focus on the
6 process of developing the actual policy. I think how the
7 trust will get built is being sure that these communities
8 are invited at every opportunity to whatever issue we've
9 got in front of us. And I want to look for those
10 opportunities. And it could be just as simple as bringing
11 them in to orient them around our strategic plan for
12 starters --

13 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
14 PEMBERTON: Yeah.

15 COMMISSIONER YEE: -- so they get a feel for
16 the -- our scope and jurisdiction, how the kinds of issues
17 that we're currently emersed in -- I mean, I know we have
18 some of the environmental justice communities involved
19 with some of our port air quality issues, but that's just
20 a really small minute fraction of the community.

21 And I think the policy will organically emerge
22 after they have a little bit of a sense of how they can
23 participate, how they can use their voice, how they, you
24 know, really can be integrated into the work that we do
25 here as a Commission.

1 I'd hate to have all the time spent on kind of a
2 linear planning process that really doesn't get us any
3 further in terms of participation and engagement.

4 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
5 PEMBERTON: Agreed.

6 COMMISSIONER YEE: So -- and I'm happy to help
7 you kind of think about how to reorient that. But we have
8 such -- I mean, you do such great work here at the
9 Commission, I think it just ought to be second nature
10 the -- you know, anyone and everything in the
11 environmental justice community should be invited to be a
12 part of the work that we do.

13 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
14 PEMBERTON: Yeah, I agree.

15 CHAIRPERSON NEWSOM: No, I love that. Yeah, it
16 can't be seen in a silos. It's got to be integrating in
17 the broader narrative. So I agree, the -- and by the way,
18 your comment maybe wasn't intended, but subtly it was not
19 lost on me. We're having an update conversation once
20 again in a fancy coastal community.

21 COMMISSIONER YEE: Um-hmm.

22 CHAIRPERSON NEWSOM: And not, you know, out in
23 the community.

24 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
25 PEMBERTON: Yeah. Yeah.

1 CHAIRPERSON NEWSOM: And so --

2 COMMISSIONER YEE: Exactly.

3 CHAIRPERSON NEWSOM: And so that's a -- that's
4 a -- you know, as they say in psychology, it's time for a
5 pat and interrupt on that one. And let's -- let's talk
6 about that. And I know we've been talking a little bit
7 about getting other parts of the State, but we've got to
8 get off the coast and get into the State and have these
9 conversations anew as well.

10 But I appreciate, look everything, Commissioner
11 Yee has been doing. And I know all the private meetings
12 she's having on this and coordinating with her staff on
13 more public meetings as well in parallel with your
14 efforts, and in concert with your efforts. And I'm
15 grateful for all of that. I know we all are.

16 So thank you for the update.

17 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF
18 PEMBERTON: Thank you.

19 CHAIRPERSON NEWSOM: Thank you for the
20 input -- or at least of being responsive to the input, and
21 thank you to staff for continuing to advance this.

22 Are there think additional comments you guys want
23 to make on this?

24 ASSISTANT EXECUTIVE OFFICER CONNOR: I would just
25 add that we're well aware of the importance of this. I

1 mean, we really get it. And we are -- as Sheri said,
2 we're trying to do a lot of outreach. We've actually --
3 you know, we're at the initial stages of that.

4 One of the things that we've looked at doing is
5 trying to identify areas where we have clusters on leases
6 and what kind of issues would be out there. And those
7 would be logical areas to have these kind of you know
8 outreach public meetings just to hear those people.

9 Yeah, so there's a lot of things that we do in
10 higher end coastal areas, but I know there's other areas.
11 And that's what we've got to really identify and go out.
12 Many, many years ago, we used to do a similar thing and
13 there -- Public Trust meetings, where we'd go out and
14 educate, whether it was the ports or various areas, what
15 the Public Trust Doctrine was. And I see this kind of the
16 same type of outreach like a traveling show.

17 CHAIRPERSON NEWSOM: Right.

18 ASSISTANT EXECUTIVE OFFICER CONNOR: So that's
19 all I would add.

20 CHAIRPERSON NEWSOM: No, nice. Appreciate that.
21 Thank you. Fabulous.

22 Any additional comments from the Commissioners?

23 Seeing none.

24 This is a -- this is a presentation?

25 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF

1 PEMBERTON: Informational.

2 COMMISSIONER YEE: Information only.

3 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF

4 PEMBERTON: No objection.

5 CHAIRPERSON NEWSOM: Only.

6 Finally.

7 EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF

8 PEMBERTON: Finally, yes.

9 CHAIRPERSON NEWSOM: Finally.

10 No -- yeah, no action.

11 So with that, are there any additional -- Mr.

12 Connor, additional items?

13 ASSISTANT EXECUTIVE OFFICER CONNOR: There

14 are -- that wraps up the regular agenda. I think we're

15 ready to move on to public comment.

16 CHAIRPERSON NEWSOM: Fabulous. I have only one

17 public comment card. But again, that shouldn't limit

18 anyone that hasn't filled out a card to present

19 themselves.

20 And, Joe, I think that's you. Come on up. And

21 not limited obviously to think of the topics that are on

22 the agenda. So, please.

23 MR. GEEVER: Thanks, Commissioners. My name is

24 Joe Geever. And before I start, I've got to thank you for

25 everything you've done here today. I'm very grateful.

1 CHAIRPERSON NEWSOM: Appreciate it.

2 MR. GEEVER: So I work for Residents for
3 Responsible Desalination in Huntington Beach. And I'm
4 here to talk to you about the Poseidon proposal. We're
5 requesting a 60-day period for written comments on the
6 draft SEIR for the Poseidon proposal.

7 The current comment period is 45 days, so this is
8 just a short extension. And it's my understanding that
9 State Lands often allows 60 days for complex EIRs, and
10 this is certainly one of them.

11 First, I want to thank your staff for coming to
12 Huntington Beach last night to take oral comments on the
13 SEIR, but really wasn't a forum for resolving the
14 complexities and disputes we have. Staff has prepared a
15 supplemental EIR with a very narrow focus. We think a
16 full subsequent EIR is needed.

17 CEQA attorneys have told us that the reasoning
18 for the narrow analysis isn't compliant with CEQA. And
19 that argument will take us time to flesh out in writing.
20 But more concerning, we feel like this narrow focus has
21 shifted a burden on to us to provide evidence of
22 significant new impacts outside the scope of the draft.

23 Had the scope been broader, these documents would
24 have been included in your staff's draft. So we think
25 your staff may be trying to simplify the analysis for the

1 public and streamline the process for Poseidon. Those are
2 all laudable goals. And nobody wants to be done with this
3 process more than we do.

4 For example, we're still waiting for the Coastal
5 Commission to hear an appeal we filed in 2005. They've
6 postponed the hearing at Poseidon's request for 12 years.
7 But a short extension on the SEIR is in the public
8 interest, your interest, the best interest of the
9 permitting agencies, our interest, and even Poseidon's
10 interest. It doesn't do anyone any good to -- for this
11 Commission to hold a hearing to certify the SEIR without
12 fully fleshed out arguments and responses from your staff.

13 Like they say, a stitch in time saves nine. So,
14 look, I admittedly don't know the process for granting an
15 extension, but we hope you'll grant our request as soon as
16 possible. Our colleagues at California Coastkeeper sent
17 this request to staff today in a letter. So it's not just
18 us making this request.

19 CHAIRPERSON NEWSOM: No, I appreciate it.

20 So why don't we surprise you by having a public
21 conversation about this.

22 When is the next meeting, it's August?

23 ASSISTANT EXECUTIVE OFFICER CONNOR: I believe
24 it's August 17th.

25 CHAIRPERSON NEWSOM: 17th, which is not that 60

1 day window, right, correct?

2 MR. GEEVER: So if you granted the extension --

3 CHAIRPERSON NEWSOM: I don't know. I haven't
4 seen it.

5 MR. GEEVER: -- it would be really --

6 CHAIRPERSON NEWSOM: Within a week or two. What
7 is this?

8 ASSISTANT EXECUTIVE OFFICER CONNOR: So right now
9 the comment period would close on July 12th. So it would
10 be a 15 day extension to that. And that -- you know, we
11 would have to respond to comments. It makes
12 the -- meeting the August 17th meeting impossible, pretty
13 much.

14 CHAIRPERSON NEWSOM: Right. And any
15 other -- forgive me for having this conversation in front
16 of you. There are -- I don't -- not seen the draft agenda
17 for that meeting. What other -- are there other
18 compelling issues that require the 17th meeting? Do we
19 need to do it on the 17th?

20 I imagine there's a hundred items you may have to
21 scope --

22 (Laughter.)

23 CHAIRPERSON NEWSOM: I mean -- and by the way,
24 you do not have to figure this out right here, because I
25 imagine it may be difficult to determine that.

1 ASSISTANT EXECUTIVE OFFICER CONNOR: Right.
2 I -- I'm aware that there are other, you know, significant
3 items on there. I think the Poseidon one might be at the
4 very top of that.

5 CHAIRPERSON NEWSOM: Right. Right.

6 All right. We'll figure this out, but I
7 appreciate your comments.

8 MR. GEEVER: Okay. Thank you very much.

9 CHAIRPERSON NEWSOM: Yeah. Thank you. Good.

10 So let's take a look at that and see the
11 it's -- I'm all for extending it, if we can extend it. I
12 just don't -- or we -- you know, you can always do a
13 special, but it would be nice to avoid another meeting.

14 COMMISSIONER YEE: Yeah, exactly.

15 CHAIRPERSON NEWSOM: Not because we don't love
16 having multiple meetings, it just costs a lot of money,
17 which you guys are not opposed to, I'm sure, because you
18 encourage more meetings over there. But it would be nice
19 to see if we can consolidate. And if we consolidate with
20 an extension, I think those are always reasonable
21 requests.

22 ASSISTANT EXECUTIVE OFFICER CONNOR: Yeah,
23 meetings are fun, and --

24 (Laughter.)

25 ASSISTANT EXECUTIVE OFFICER CONNOR: -- we'll

1 certainly look into that, and get back to you as soon as
2 we can.

3 CHAIRPERSON NEWSOM: Yeah, let us know. But if
4 we -- yeah, I'm all for extending, if we can. Are you
5 good with that?

6 COMMISSIONER YEE: Absolutely.

7 CHAIRPERSON NEWSOM: Yeah.

8 COMMISSIONER YEE: Yeah.

9 CHAIRPERSON NEWSOM: Yeah. So if we can extend
10 the window, let's do it. If you've got 52 reasons why we
11 can't, let's have that conversation.

12 ASSISTANT EXECUTIVE OFFICER CONNOR: You got it.
13 Thank you.

14 CHAIRPERSON NEWSOM: All right. Good. Thank
15 you.

16 Any other public comment?

17 Seeing none. Public comment is closed.

18 Any order of business remaining beyond closed
19 session?

20 ASSISTANT EXECUTIVE OFFICER CONNOR: No, that's
21 it.

22 CHAIRPERSON NEWSOM: We'll move into closed
23 session. And are we going somewhere or --

24 ASSISTANT EXECUTIVE OFFICER CONNOR: No.

25 CHAIRPERSON NEWSOM: -- we asking everyone else

1 to go somewhere.

2 ASSISTANT EXECUTIVE OFFICER CONNOR: We're
3 meeting here, and so I would ask everyone who is not
4 involved in the closed session --

5 CHAIRPERSON NEWSOM: All right. Sorry,
6 everybody.

7 ASSISTANT EXECUTIVE OFFICER CONNOR: -- to
8 leave.

9 CHAIRPERSON NEWSOM: Well, we're done, anyway, so
10 you don't have anything to do.

11 Yeah. Good. Thanks.

12 (Off record: 1:08 p.m.)

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

15 (Thereupon the meeting reconvened
16 open session.)

17 (On record: 2:05 p.m.)

18 CHAIRPERSON NEWSOM: Great. We'll now
19 adjourn -- well, wait, the meeting is now back to order.

20 Anything to report out from closed session, Mr.
21 Connor.

22 ASSISTANT EXECUTIVE OFFICER CONNOR: No, nothing.

23 CHAIRPERSON NEWSOM: Great. Thank you.

24 The meeting is now adjourned.

25 /////

(Thereupon the California State Lands
Commission meeting adjourned at 2:06 p.m.)

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

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

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of July, 2017.



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