



GSA Pacific Rim Region

June 20, 2018

Via U.S. Mail, and
E-mail at Jennifer.Lucchesi@slc.ca.gov

Jennifer Lucchesi
Executive Officer
California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825

Re: Agenda for California State Lands Commission Meeting on June 21, 2018

Dear Ms. Lucchesi:

I am writing with respect to two items on the agenda for the upcoming California State Lands Commission (SLC) meeting on June 21, 2018, both of which concern real property disposal transactions that are managed by my office. The first is agenda item C-86: "Consider exercising the right of first refusal for the acquisition of federal public lands, or right to arrange for their transfer to another entity, in the city of Pacifica, San Mateo County." The second is agenda item C-90: "Consider exercising right of first refusal for the acquisition of federal public lands, or right to arrange for their transfer to another entity, in the city of Hawthorne, Los Angeles County."

In both cases, I wish to memorialize that the United States, as Grantor of the subject properties, has not offered and does not intend to offer a right of first refusal to the State of California and/or the SLC pursuant to California Public Resources Code section 8560. Please note that the United States is not applying for a waiver of the State's purported rights under section 8560, and that it has not authorized anyone to seek such a waiver on its behalf. As you know, the United States has filed suit to challenge the constitutionality of the law under which section 8560 was enacted, 2017 California Senate Bill 50 (Stats. 2017, ch. 535) ("SB 50"). Please note that your consideration of the subject properties does not reflect any waiver or concession by the United States of any issue in that litigation.

Sincerely,

A handwritten signature in blue ink that reads "David Haase".

David Haase
Director, Real Property Utilization & Disposal (R9)