

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF OCTOBER 16, 2008

PORT OF SAN DIEGO
BOARD ROOM, 1ST FLOOR
3165 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA 92101

APPEARANCES

COMMISSIONERS PRESENT

John Chiang, Controller, Chair (Cindy Aronberg on item 58)
John Garamendi, Lieutenant Governor (Brian Bugsch on items 57-58)
Tom Sheehy, Chief Deputy Director for Policy, Department of Finance,
representing Michael C. Genest, Director, Department of Finance

STAFF MEMBERS IN ATTENDANCE

Paul Thayer, Executive Officer
Curtis Fossum, Chief Counsel

REPRESENTING THE OFFICE OF THE ATTORNEY GENERAL

Joseph Rusconi, Deputy Attorney General

NOTE: A list of individuals making statements before the Commission and the entities they represent, along with the Executive Officer's Report, are included in a complete transcript of the proceedings, which is on file in the Sacramento offices of the Commission and posted on the Commission's website at www.slc.ca.gov. Also included on the website is the voting record of the meeting with the staff report for each agenda item linked to the respective consent or regular item number.

**RECORD OF ACTION TAKEN BY THE
CALIFORNIA STATE LANDS COMMISSION
MEETING OF OCTOBER 16, 2008**

State Controller John Chiang, Chair, called the regular meeting of the California State Lands Commission to order at 10:14 A.M. at the Port of San Diego Board Room, 3165 Pacific Highway, San Diego, California 92101. Also present were Commissioner John Garamendi and Commissioner Alternate Tom Sheehy.

The Minutes of the August 22, 2008 meeting were approved as presented by a vote of 3-0.

CONSENT CALENDAR: Consent items C17, C32 and C47 were postponed and removed from the agenda. Consent items C01-C16, C18-C31, C33-C46, and C48-C55 were approved as presented by a vote of 3-0.

REGULAR CALENDAR: Regular item 59 was postponed and removed from the agenda.

(The items below appear in the order that they were heard and voted on.)

Regular Item 56: was the consideration of a resolution opposing Proposition B, the November 4, 2008 ballot measure that would amend the Port of San Diego's Master Plan as it relates to the Tenth Avenue Marine Terminal in the city of San Diego. The item was approved by a vote of 2-0 (Finance abstained).

Regular Item 60: was a discussion on the relationship between mitigation of port operational impacts and the Public Trust Doctrine. Since this was a discussion only, no vote was taken.

Regular Item 57: a presentation was made to the Commission involving a resolution proposed by the Lt. Governor supporting the responsible development of school lands under the Commission's jurisdiction. The item was approved by a 2-0 vote (Finance and Lt. Governor's Office; the Controller's Office did not participate).

Regular Item 58: staff presented the Commission with a first-year report update on the Bolsa Chica Lowlands Restoration Project near Huntington Beach. Since this was an informational item, no vote was taken.

The Commission adjourned into Closed Session at 2:23 P.M.

**PUBLIC ADDRESSING THE FOLLOWING CALENDAR ITEMS
CALIFORNIA STATE LANDS COMMISSION MEETING**

OCTOBER 16, 2008

CALENDAR ITEM 56 – PROPOSITION B

- Stephen Cushman, Vice Chair, Board of Port Commissioners, San Diego Unified Port District
- Frank Gallagher, San Diego Community Solutions
- Aimee Graham, Government Relations Manager, General Dynamics NASSCO / Save our Working Waterfront
- Bella Heule, President/CEO, San Diego World Trade Center
- Mike Jacob, Vice President, Pacific Merchant Shipping Association
- Ed Plant, Chairman, San Diego Port Tenants Association
- Diane Takvorian, Executive Director, Environmental Health Coalition
- Brian Whatley, President, Local 29 ILWU
- Michael Montoya, Longshoreman
- Tim Schott, Association Secretary, California Association of Port Authorities

REGULAR ITEM 60 – PORTS AND PUBLIC TRUST DOCTRINE

- Geraldine Knatz, PhD, Port of Los Angeles
- Melissa LinPerella, National Resources Defense Council
- Dan Wilkens, Assistant Port Director, Port of San Diego
- Mike Jacob, Vice President, Pacific Merchant Shipping Association
- Janice Hahn, Los Angeles City Councilmember
- Jesse Marquez, Executive Director, Coalition for a Safe Environment
- John Miller, M.D., Port of Los Angeles Community Advisory Committee
- Tim Schott, Association Secretary, California Association of Port Authorities
- Melissa Stephens, San Diego Regional Asthma Coalition
- Kathleen Woodfield, San Pedro Peninsula Homeowners Coalition

PUBLIC COMMENT PERIOD

- Eric Townsend, USD Legal Clinic
- Dorota Valli, Animal Protection Rescue League