

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF APRIL 9, 2009

STATE CAPITOL, ROOM 4203
SACRAMENTO, CALIFORNIA 95814

APPEARANCES

COMMISSIONERS PRESENT

John Garamendi, Lt. Governor, Chair
Marcy Jo Mandel, Chief Deputy Controller, represented John Chiang, Controller
Tom Sheehy, Chief Deputy Director for Policy, Department of Finance,
represented 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 APRIL 9, 2009**

Lieutenant Governor John Garamendi, Chair, called the meeting of the California State Lands Commission to order at 9:35 A.M. at the State Capitol, Room 4203, Sacramento, California 95814. Also present were Commissioner Alternate Marcy Jo Mandel and Commissioner Alternate Tom Sheehy.

The Minutes of the March 2, 2009 teleconference meeting were approved as presented by a vote of 3-0

CONSENT CALENDAR:

Consent items C1-C38 were approved as presented by a vote of 3-0. Item 44 was informational only.

REGULAR CALENDAR:

ITEM 39: Following presentation of the staff report and testimony by the applicants' attorney, regarding an unauthorized pier, boatlift, etc. on sovereign lands in Lake Tahoe, the Commission approved the denial of the application for a recreational pier lease that included a sundeck with railing and stairs. The Commission indicated that if the applicant could present satisfactory information that the sundeck and related staircase and railings were in fact previously permitted they would take that into consideration. The Commission also authorized the staff of the Commission and Office of the Attorney General to take all steps necessary, including litigation, to eject the improvements from the unleased state sovereign lands by a vote of 3-0.

PRESENTATION BY COMMISSION: Following Item 39, the Commission presented a plaque to former Commissioner and Chief Deputy Director of Finance, Anne Sheehan, in recognition of her service to the people of California on the California State Lands Commission and her stewardship of the state's Public Trust resources from 2005-2008.

ITEM 40: The Commission was presented the staff report and testimony from both staff and Mr. Asuncion involving staff's recommendation for a determination of trespass and authority for the staff of the Commission and Office of the Attorney General to take all steps necessary, including litigation, to remove the unauthorized docking facilities located on state-owned lands in Simonds Canal and Alviso Slough. The Commission decided to put the item over until the next meeting in order to provide the applicant an opportunity to submit a complete application.

ITEM 41: A staff presentation was made to the Commission regarding a recommendation to find Carone Petroleum, Inc., in default of its lease and authorize a notice of default and opportunity to cure. Following testimony by staff and representatives of Carone, the Commission put over the item until the next meeting.

ITEM 42: The Commission was asked to approve a resolution opposing MMS' draft proposed 5-year continental shelf oil and gas program. The item was approved by a vote of 2-0 (Commissioner Sheehy abstained).

ITEM 43: A staff presentation was made to the Commission pertaining to a grant application package requesting funds from NOAA for beach hazard removal in Santa Barbara and Ventura counties. The item was approved as presented by a 3-0 vote.

The Commission meeting public session was adjourned at 12:16 P.M.

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

APRIL 9, 2009

REGULAR ITEM 39 – PIER LEASES AT LAKE TAHOE

Barbara Dugal, Chief, Land Management Division, State Lands Commission

- Richard Sipos, Attorney, Wendel, Rosen, Black & Dean LLP

REGULAR ITEM 40 – BLUE WHALE SAILING SCHOOL

Mary Hays, Land Management Division, State Lands Commission

- John Asuncion, President, Blue Whale Sailing School
- Adrienne Klein, San Francisco Bay Conservation and Development Commission
- Tom Martinez, Santa Clara Valley Water District

REGULAR ITEM 41 – CARONE PETROLEUM CORPORATION

Greg Scott, Chief, Mineral Resources Management Division, State Lands Commission

- Charles Cappel, CEO, Carone Petroleum Corporation
- Steve Coombs, Pacific Operators Offshore, Inc.
- Steven Kirby, Attorney, Hollister & Brace

REGULAR ITEM 42 – OCS RESOLUTION

Mario De Bernardo, Legislative Liaison/Staff Counsel, State Lands Commission

PUBLIC COMMENT PERIOD

No speakers