

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF SEPTEMBER 20, 2013

STATE CAPITOL
ROOM 447
SACRAMENTO, CALIFORNIA 95814

APPEARANCES

COMMISSIONERS PRESENT

- Gavin Newsom, Lieutenant Governor
- Chris Garland, Chief of Staff and Alternate for Lieutenant Governor
Gavin Newsom, voted on Items 106, 113, and 121
- Alan Gordon, Deputy Controller and Alternate for Controller John Chiang
- Eraina Ortega, Chief Deputy Director and Alternate for Director of the
Department of Finance, Michael Cohen

STAFF MEMBERS IN ATTENDANCE

- Jennifer Lucchesi, Executive Officer
- Mark Meier, 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, regular or informational item number. A link to a recorded Cal-Span.org webcast of the meeting is also available on the Commission's website. All of these items may be found under Previous Meetings, by date of the meeting.

**RECORD OF ACTION TAKEN BY THE
CALIFORNIA STATE LANDS COMMISSION
MEETING OF SEPTEMBER 20, 2013**

Chair Gavin Newsom called the meeting of the California State Lands Commission to order at 10:07 A.M. at the State Capitol, Room 447, Sacramento, California 95814; also present were Commissioner Alternate Alan Gordon and Commissioner Alternate Eraina Ortega.

The Minutes of the June 21, 2013 Regular meeting and the July 12, 2013 Special Meeting were approved by a vote of 2-0 (Ortega abstained).

EXECUTIVE OFFICER'S REPORT

Executive Officer Jennifer Lucchesi updated the Commission on the following items:

- The Commission is in the process of implementing a new software database, utilizing Accela Automation's Land Management Solution software, which will more effectively track out lease status and payments.
- Commission staff also recently contracted with OpenGov to create a web-based visualization tool that will enable staff and the public to access and visualize Commission financial data.
- The following state legislation was discussed:
 - Governor Brown signed into law AB 727 (Stone, dredging leases and Public Trust lands)
 - On the Governor's desk for signature are bills:
 - AB 691 (Muratsuchi, trustees of granted Public Trust lands to prepare sea level rise assessment)
 - AB 1273 (Ting, mixed use development at Piers 30/32 on the San Francisco waterfront)
 - SB 630 (Pavley, California Tahoe Regional Planning Agency)
 - SB 814 (Comm on Natural Resources, delay implementation of California's Ballast Water Performance Standards)
 - AB 881 (Chesbro, Oil Spill Prevention and Administrative Fee) has been placed on the inactive file and is now a 2-year bill
- Commission staff held a public meeting on June 19th for the residents of Sandy Beach, a small waterfront community near the City of Vallejo, in an effort to ensure that those occupying state property are brought under lease with the Commission.
- The Executive Officer acknowledged the retirement of Lynda Smallwood, who served the Commission for 22 years.

RECORD OF ACTION CONTINUED

CONSENT CALENDAR

- Consent Items C44, C75, C79, C92, C108, and C109 were removed from consideration, to be heard at a later date.
- Consent Items C01-C43, C045-C74, C76-C78, C80-C91, C93-C105, C107, C110-C112, and C115 were approved as presented by a vote of 3-0.
- Consent Items C106, C113 and C114 were moved to the Regular Calendar.

INFORMATIONAL

ITEM 116: Staff report on the monitoring of possible subsidence, Long Beach Unit, Wilmington Oil Field, Los Angeles County.

The item was informational – no vote required.

REGULAR CALENDAR

(The Items below appear in the order presented.)

ITEM 114: A staff presentation was made to the Commission to consider adopting a standardized reporting form to be submitted by legislative grantees of sovereign Public Trust land and approving a workload analysis that summarizes the resources necessary for the Commission to fulfill its oversight responsibilities.

Item 114 – Recommendations 1 and 3 were approved as presented by a 3-0 vote; and Recommendation 2 was approved as presented by a vote of 2-0 (Ortega abstained).

ITEM 117: A staff presentation was made to the Commission to consider supporting federal legislation that would enact the Lake Tahoe Restoration Act which would extend the Lake Tahoe Restoration Act by another 10 years and authorize \$415 million to combat invasive species, improve water clarity, reduce the threat of catastrophic wildfire and restore the environment.

Item 117 was approved as presented by a 2-0 vote (Ortega abstained).

ITEM 118: A staff presentation was made to the Commission on the “Marine Renewable Energy and Environmental Impacts: Advancing California’s Goals” report.

Item 118 was an informational report so no action was required.

RECORD OF ACTION CONTINUED

ITEM 119: A staff presentation was made to the Commission to consider authorizing the Executive Officer to execute and submit an application to the U.S. Fish and Wildlife Service to obtain a permit for the incidental take of endangered and threatened species pursuant to Section 10 of the federal Endangered Species Act, relating to implementation of the Desert Renewable Energy Conservation Plan.

Item 119 was approved as presented by a 3-0 vote.

ITEM 120: Staff made a presentation to the Commission to consider adoption of a Mitigated Negative Declaration and approval of a program update to the Commission's Low Energy Offshore Geophysical Permit Program.

After hearing testimony from the public, the staff's recommendation was modified as follows:

- The permits issue would specify that equipment must have characteristics substantially similar to those modeled in the mitigated negative declaration;
- To protect harbor porpoises, the permits issued would preclude the use of boomers between Point Conception and the Oregon border, although proposed boomer use in that area would be reviewed and considered on a case by case basis;
- When notice of each survey was issued, staff would include a mapping overlay that will show the location of affected marine protected areas; and
- Staff will develop guidelines consistent with the Administrative Procedures Act to help facilitate program implementation by permittees and the public.

The Commission approved Item 120 as modified by a vote of 3-0.

ITEM 121: A presentation was made to the Commission to consider approval of a Non-Exclusive Geophysical Survey Permit on tide and submerged lands under the jurisdiction of the Commission.

Item 121 was approved as presented by a vote of 2-0 (Garland and Ortega).

ITEM 106: A staff presentation was made to the Commission to consider approval of a partial assignment of 22% of Venoco, Inc.'s 100% interest in Well No. 3242-15, located on state oil and gas lease No. PRC 3242.1, to Venoco Energy Partners Operating, LLC.

Item 106 was approved as presented by a vote of 2-0 (Gordon and Ortega). Lt. Governor's Office did not vote on the item but expressed concerns with the proposal.

RECORD OF ACTION CONTINUED

ITEM 113: A staff presentation was made to the Commission to consider authorization for the staff of the California State Lands Commission and/or the Office of the Attorney General to take legal action to cause compliance with the Commissioner's leasing authority of the replacement of an unauthorized piling and structure on sovereign land located in the Sacramento River.

After hearing testimony from the applicant's representative, Item 113 was approved as presented by a vote of 2-0 (Gordon and Ortega).

(The State Lands Commission adjourned into closed session from 12:26 P.M. to 12:33 P.M.)

The Commission meeting public session was adjourned at 12:34 P.M.

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

SEPTEMBER 20, 2013

CALENDAR ITEM 106

Marina Voskanian, Chief, Mineral Resources Management Division, CSLC

- Steve Greig, Government Relations Manager, Venoco, Inc.

CALENDAR ITEM 113

Mary Hays, Public Land Manager, Land Management Division, CSLC

- Gary DeMar, representing Betty Vranesh

CALENDAR ITEM 114

Sheri Pemberton, Chief, External Affairs Division, CSLC

- Andrew K. Antwih, Pacific Merchant Shipping Association

ITEM 120

Jennifer DeLeon, Environmental Program Manager I, Division of Environmental Planning and Management, CLSC

- Brian Balcom, Senior Scientist, CSA Ocean Sciences Inc.
- Jeff Carothers, Business Manager, Fugro West, Inc.
- Karen Garrison, Natural Resources Defense Center
- Jim Grant, Regional Survey Manager, Fugro West, Inc.
- Brad Snook, Chair, Surfrider Foundation-San Luis Obispo County Chapter

PUBLIC COMMENT

- Alison Madden, Secretary, San Francisco Bay Marinas for All
- Aaron Riffenburgh Kirby, representing ORB