

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF APRIL 20, 2017

**DOUBLETREE BY HILTON BERKELEY MARINA
200 MARINA BOULEVARD
BERKELEY, CALIFORNIA 94710**

APPEARANCES

COMMISSIONERS PRESENT

- Gavin Newsom, Lieutenant Governor (Rhys Williams, Chief of Staff and Alternate, participated for items 95, 97, and 98)
- Betty T. Yee, State Controller (Anne Baker, Deputy Controller and Alternate, participated for Items C61, C84, 92, 93, 94, 95, 97, and 98)
- 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

- Andrew Vogel, 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.sl.c.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 APRIL 20, 2017**

Chair Gavin Newsom called the meeting of the California State Lands Commission to order at 1:05 P.M. at the Doubletree by Hilton Berkeley Marina, 200 Marina Boulevard, Berkeley, California 94710; also present were Commissioner Betty Yee and Commissioner Alternate Eraina Ortega.

(The State Lands Commission adjourned into closed session from 1:55 P.M. to 2:42 P.M., then resumed open session at 2:45 P.M.)

The Minutes of the February 7, 2017 meeting and April 4, 2017 meeting were approved by a vote of 3-0 (Newsom-Yes; Yee-Yes; Ortega-Yes).

CONSENT CALENDAR

- Consent Items C59 and C81 were removed from consideration.
- Consent Items C61 and C84 were moved to the Regular Calendar.
- Consent Items C01-C58, C60, C62-C80, C82, C83, and C85-C89 were approved as presented by a vote of 3-0 (Newsom-Yes; Yee-Yes; Ortega-Yes).

INFORMATIONAL CALENDAR

- Item 90 – was informational – no vote required.
- Item 91 – was informational – no vote required.

REGULAR CALENDAR

(Items appear in the order heard)

ITEM 92: A staff presentation was made to the Commission to consider supporting AB 1472 (Limón) that would specify the factors of the Commission may consider when evaluating an application to assign, transfer or sublease an oil and gas lease, and to define an assignee.

Item 92 – was approved as presented by a vote of 2-0 (Newsom-Yes; Baker-Yes; Ortega-Abstained).

ITEM 93: A staff presentation was made to the Commission to consider supporting AB 725 (Levine) and SB 386 (Glazer) that would prohibit smoking or disposing of used cigarette waste on a state beach or in a state park.

Item 93 – was approved as presented by a vote of 2-0 (Newsom-Yes; Baker-Yes; Ortega-Abstained).

RECORD OF ACTION CONTINUED

ITEM C61: A staff presentation was made to the Commission to consider an application for a general lease of sovereign land located in the San Joaquin River.

Item C61 – was approved as presented by a vote of 3-0 (Newsom-Yes; Baker-Yes; Ortega-Yes)

ITEM C84 – A staff presentation was made to consider approval of proposed amendments and additions to the Commission’s Regulations relating to the Marine Invasive Species Program.

Item C84 – was approved as presented by a vote of 3-0 (Newsom-Yes; Baker-Yes; Ortega-Yes)

ITEM 94 – An informational presentation was made by representatives from the Port of San Francisco on the Port’s Seawall Resiliency Project.

Item 94 – was informational – no vote required.

ITEM 95 – An informational presentation was made by representatives from the Port of San Diego to update the Commission on the Port’s Master Plan.

Item 95 – was informational – no vote required.

ITEM 97 – An informational staff presentation was made to the Commission to update the Commission on the California Oil Spill Prevention, Response, and Preparedness Program Performance Audit conducted by the Department of Finance.

Item 97 – was informational – no vote required.

ITEM 98 – An informational staff presentation was made to the Commission to report on efforts to update the Commission’s Environmental Justice Policy.

Item 98 – was informational – no vote required.

EXECUTIVE OFFICER’S REPORT

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

- A fact sheet detailing the recent activity by Venoco in quitclaiming its interests in three State Oil and Gas Lease and subsequent bankruptcy can be accessed on the Commission’s website, along with additional relevant documents. Commission staff is working with Venoco staff, local and regional governments, state agencies and State Legislators to keep everyone apprised of the Commission’s efforts to ensure these leases and the associated facilities are safe. county to make sure we know exactly how things are operating down on these facilities.

RECORD OF ACTION CONTINUED

- Commission staff is in the process of preparing the Becker Well EIR. It should be out for public comment by late spring. The bidding and contractor selection will begin in August through October of this year. Staff anticipates remediating the well pending receipt of all permits in the fourth quarter of 2017.
- Commission staff is continuing its work on the San Diego Ocean Planning effort with the Port of San Diego. Commission and Port staff are:
 - Gathering data and information that is needed to inform the spatial analysis tool and exploring potential collaborations with agencies like NOAA and the California Coastal Water Research Project;
 - Continuing to seek out the sources of best available science to ensure that that tool being developed offers marine resource users and managers the most current helpful information;
 - Convening a scientific advisory team that will peer review the data sources and subsequent spatial analysis; and
 - Working on a more detailed communication and outreach plan that includes establishing a website, email listserv, and social media platforms, one-on-one stakeholder listening sessions and public meetings to hear from local communities surrounding San Diego Bay.

In early May Commission and Port staffs will get together for an intensive two-day working meeting to pull together the final details for the outreach plan and website content. The website is slated to be up and running by mid-June. Phase 1 of the process will culminate in February 2018 with the issuance of a summary assessment report that will describe the planning principles, methodologies for stakeholder and public engagement, as well as data collection and analysis, and existing conditions of the planning area offshore San Diego County. Phase I will also include opportunities and constraints analysis and a layout of recommendations for the subsequent phases of partnership.

The Commission meeting public session was adjourned at 4:32 P.M.

**STAFF AND PUBLIC ADDRESSING
THE FOLLOWING CALENDAR ITEMS
APRIL 20, 2017**

ITEM C61

Brian Bugsch, Chief, Land Management Division, CSLC
Christopher Huitt, Senior Environmental Scientist, Division of Environmental
Planning and Management, CSLC

- Alicia Forsythe, Program Manager for the San Joaquin River Restoration Program, U.S. Bureau of Reclamation
- Jarrett Martin, Engineer, Central California Irrigation District
- Doug Obegi, Senior Attorney, Natural Resources Defense Center
- Cam Tredennick, Vice President, Business Development and Legal, River Partners

ITEM C84

Chris Scianni, Senior Environmental Scientist, Marine Environmental Protection Division, CSLC

- John Berge, Vice President, Pacific Merchant Shipping Association

ITEM 94

Brad Benson, Director of Special Projects, Port of San Francisco

ITEM 95

Jason Giffen, Assistant Vice President, Port of San Diego
Job Nelson, Chief Policy Advisor, Port of San Diego

PUBLIC COMMENT

- Kathy Biala, Resident of Marina, CA
- George Clyde, Representative, East Shore Planning Group, Tomales Bay
- Emelio Diaz, Docketown resident
- James Jonas, Docketown resident
- Ryan Kallabis, Communications Manager, Save Our Shores
- Mark Krausse, Director, PG&E
- Francie Mitchell, City of California
- Katherine O'Dea, Executive Director, Save Our Shores
- Zach Pine, Environmental Activist
- Jennifer Savage, California Policy Manager, Surfrider Foundation
- Dr. Lee Shahinian
- Ed Thornton
- Ximena Waisbluth, Surfrider