

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF FEBRUARY 27, 2018

**ELIHU HARRIS STATE BUILDING
AUDITORIUM
1515 CLAY STREET
OAKLAND, CALIFORNIA 94612**

**ADDITIONAL SITE TO OBSERVE AND TESTIFY
POINT VICENTE INTERPRETIVE CENTER
31501 PALOS VERDES DRIVE WEST
RANCHO PALOS VERDES, CALIFORNIA 90275**

APPEARANCES

COMMISSIONERS PRESENT

- Betty T. Yee, State Controller
- Gavin Newsom, Lieutenant Governor (Rhys Williams, Chief of Staff and Alternate, participated for items C45, C86, 91, 92, 93, 94, 96, and Public Comment)
- Jacqueline Wong-Hernandez, 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: The final approved Minutes also include the Agenda and corresponding staff reports (incorporated into the draft Minutes by reference) approved as presented unless otherwise indicated in the Record of Action. 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 FEBRUARY 27, 2018**

Chair Betty Yee called the meeting of the California State Lands Commission to order at 2:00 P.M. at the Elihu Harris State Building Auditorium, 1515 Clay Street, Oakland, California 94612; also present were Commissioner Gavin Newsom and Commissioner Alternate Jacqueline Wong-Hernandez.

Confirmation of the Minutes of the October 19, 2017 and November 29, 2017 meetings were approved as presented by a vote of 2-0 (Yee–Yes; Newsom–Yes; Wong-Hernandez–Abstained).

EXECUTIVE OFFICER’S REPORT

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

- The Commission was updated on the partnership with the Port of San Diego and Commission staff’s efforts under the San Diego Ocean Planning Pilot Partnership.
- The Commission was updated on the Bureau of Ocean Energy Management’s (BOEM) Outer Continental Shelf (OCS) Oil and Gas Lease Sale Program. The Commissioners sent a letter to BOEM expressing the Commission’s opposition. Commission staff is working with other agencies such as the Ocean Protection Council and the Coastal Commission to submit additional comment letters in opposition to the draft proposed program.
- The Executive Officer acknowledged the promotion of Denise Cook to Chief of the Administrative Information Services Division.
- The Commission was updated on the Commission’s budget in the 2018-19 Governor’s Budget Proposal:
 - Total expenditure of \$103 million, which is more than double the current year estimated expenditure level. This significant expenditure increase is due to the decommissioning activities associated with Rincon Island and Platform Holly.
 - Of the total expenditures, \$77 million is from the General Fund, \$14 million is from the Oil Spill Prevention and Administration Fund, and the remainder is from various other special funds.
 - Majority of the new funding request, \$64 million, is within the General Fund, along with \$2.3 million from new fund source Environmental License Plate Fund. The Commission’s proposed budget also includes an annual transfer of tideland oil and gas revenues of \$2 million to the Kapiloff Land Bank Fund.
- The Legislative Budget and Fiscal Committee hearings are scheduled for late April: Assembly hearing – April 25th; Senate hearing – April 26th.
- The Executive Officer noted a correction to a Continuation of Rent Item, listed under the Executive Officer’s Report, Lease No. PRC 9034.1; the rent should be \$201, not \$301.

RECORD OF ACTION CONTINUED

CONSENT CALENDAR

- Consent Items C01-C25, C44, C52, C63, C78, and C79 were removed from consideration
- Consent Item C45 and C86 was moved to the Regular Calendar
- Consent Items C26-C43, C46-C51, C53-C62, C64-C77, and C80-C85 were approved as presented by a vote of 3-0 (Yee–Yes; Newsom–Yes; Wong-Hernandez–Yes)

INFORMATIONAL CALENDAR

ITEM 87 – was informational – no vote required

REGULAR CALENDAR

(items appear in order heard)

ITEM 88: An informational staff presentation was made to the Commission to update them on the Commission’s 2016-2020 Strategic Plan Implementation.

Item 88 – was informational – no vote required.

ITEM 89: A staff presentation was made to the Commission to consider adoption of a Negative Declaration and approval of an application for a General Lease of sovereign land located approximately 0.3 miles offshore between Bunder Point and White Point on the Palos Verdes Peninsula in the Pacific Ocean, city of Rancho Palos Verdes, Los Angeles County, for the construction, restoration, and enhancement of the Palos Verdes Marine Artificial Reef. After hearing testimony and further deliberation by the Commission, Commission staff proposed that the motion to approve the lease include certain monitoring requirements. Commissioner Newsom made the motion consistent with staff’s revised recommendation and Commissioner Wong-Hernandez seconded the motion.

Item 89 – was approved as amended by a vote of 3-0 (Yee–Yes; Newsom–Yes; Wong-Hernandez–Yes)

RECORD OF ACTION CONTINUED

ITEM 90: A staff presentation was made to the Commission to consider approval of the 2018 Category 1 Lake Tahoe Berths, 2018 Category 1 Lake Tahoe Buoys, and 2018 Category 2 Lake Tahoe non-water dependent use benchmark rental rates for sovereign land in El Dorado, Placer, and Nevada counties. Commissioner Wong-Hernandez made the motion to defer action on revising the existing benchmark and direct staff to explore and identify funding options to conduct a thorough evaluation of the various methodologies available to the Commission to assess rent for piers and buoys located on State property in Lake Tahoe. Commissioner Newsom seconded the motion.

Item 90 – was deferred, to be considered at a future meeting by a vote of 3-0 (Yee–Yes; Newsom–Yes; Wong-Hernandez–Yes)

ITEM C86: A staff presentation was made to the Commission recommending the Commission not acquire certain federal public lands or right to arrange for their transfer to another entity in the city of Dublin, Alameda County.

Item C86 was approved as presented by a vote of 3-0 (Yee–Yes; Williams–Yes; Wong-Hernandez–Yes)

ITEM 91: A staff presentation was made to the Commission to consider a Resolution opposing federal actions that would undermine the desert Renewable Energy Conservation Plan by allowing development in areas designated for conservation in that Plan. These actions are described in the “Notice of Intent to Amend the California Desert Conservation Area, Bakersfield, and Bishop Resource Management Plans and Prepare Associated Environmental Impact Statements or Environmental Assessments” (A83 FR 4921), published on February 2, 2018.

Item 91 – was approved as presented by a vote of 3-0 (Yee–Yes; Williams–Yes; Wong-Hernandez–Yes)

ITEM 92: A staff presentation was made to the Commission to consider delegating authority to the Executive Officer to enter into agreements necessary for access and operations on former State Oil and Gas Lease Nos. PRC 1466.1, PRC 145.1, and PRC 410.1 related to Rincon Island; and provide an update on the status of oil and gas decommissioning projects undertaken by the Commission, including the Becker Well Abandonment and Remediation project and the decommission of facilities on former leases encompassing Platform Holly and Rincon Island, off Santa Barbara and Ventura Counties.

Item 92 – was approved as presented by a vote of 3-0 (Yee–Yes; Williams–Yes; Wong-Hernandez–Yes)

RECORD OF ACTION CONTINUED

ITEM 93: A staff presentation was made to the Commission to consider a temporary moratorium on the consideration of lease applications on certain filled and unfilled sovereign public trust lands and authorize staff to conduct a public trust needs assessment for the approximate 8.8 acres of public trust lands, located adjacent to Airport Blvd. and San Francisco Bay, in the city of Burlingame, San Mateo County.

Item 93 – was approved as presented by a vote of 3-0 (Yee–Yes; Williams–Yes; Wong-Hernandez–Yes)

ITEM 94 – was removed from consideration.

ITEM 95: A staff presentation was made to the Commission on efforts to overhaul the Commission’s Environmental Justice Policy.

Item 95 – was informational – no vote required.

ITEM 96: A presentation was made to the Commission on the Commission’s staff’s development of an interactive, user-friendly Geographical Information System (GIS)-based viewing tool that enhances staff’s ability to evaluate the effects of sea-level rise on projects proposed to be located on the state-owned tidelands and submerged lands located in tidally-influenced areas.

Item 96 – was informational – no vote required.

ITEM C45: A staff presentation was made to the Commission to consider an amendment of lease and revision of rent to Lease No. PRC 4687.1, a General Lease – Commercial Use, of filled and unfilled sovereign land located in San Francisco Bay, near Burlingame, San Mateo County; for a restaurant, parking lot, lagoon, footbridge, pedestrian paths, landscaping, and shoreline protection.

Item C45 – was deferred, to be considered at a future meeting by a vote of 3-0 (Yee–Yes; Williams–Yes; Wong-Hernandez–Yes)

(The State Lands Commission adjourned into closed session from 7:01 P.M. to 7:05 P.M., then resumed open session at 7:06 P.M.)

The Commission meeting public session was adjourned at 7:07 P.M.

**STAFF AND PUBLIC ADDRESSING
THE FOLLOWING CALENDAR ITEMS
FEBRUARY 27, 2018**

ITEM C45

Nicholas Lavoie, Public Land Manager, Land Management Division, CSLC

- Nikki Szeto, Managing Member/Partner, Burlingame Bay Associates
- Arnold Townsend, Consultant, Burlingame Bay Associates

ITEM C86

Sheri Pemberton, Chief, External Affairs and Legislative Liaison, CSLC

- Joe Guerra, Senior Director of Business Strategies, Dublin Crossing

ITEM 89

Cheryl Hudson, Public Land Management Specialist, Land Management Division, CSLC

Kelly Keen, Environmental Scientist, Division of Environmental Planning and Management, CSLC

Dr. Don Pondella, Southern California Marine Institute, Vantuna Research Group at Occidental College

Oakland:

- Heather Burdick, Marine Program Manager, The Bay Foundation
- Jocelyn Enevoldsen, Heal the Bay
- Tom Raftican, President, The Sportfishing Conservancy

Rancho Palos Verdes:

- Lili Amini, General Manager, Trump National Golf Club, LA
- Armand Barilotti, Marine Biologist, The Bay Foundation
- Susan Brooks, Mayor, City of Rancho Palos Verdes
- Craig Cadwallader, Policy Coordinator, Surfrider Foundation South Bay Chapter
- Bill Foster, Rancho Palos Verdes resident, representing self
- Mark Friedman, Teacher (Marine Science)
- Matt Garland, stakeholder
- Jon Jenkins, local resident
- John Jensen, representing self
- Gary Randall, representing self
- Jim Randall, representing self
- Jim Reese, representing self
- Bill Schurmer, representing self

STAFF AND PUBLIC ADDRESSING CONTINUED

ITEM 90

Brian Bugsch, Chief, Land Management Division, CSLC

- David Blau, Board Member, League to Save Lake Tahoe
- Jan Brisco, Executive Director, Tahoe Lakefront Owners' Association
- Anthony C. Evans, representing self
- Bill Lyons, President, Meeks Bay Vista Property Owners' Association
- Monte Short, Tahoe Lakefront Owners' Association

ITEM 91

- Erica Brand, Director, The Nature Conservancy
- Dup Crosson, Development /Communications Associate, California Wilderness Coalition
- Analise Rivero, California Program Coordinator, Defenders of Wildlife

ITEM 93

Nicholas Lavoie, Public Land Manager, Land Management Division, CSLC

- Cynthia Gómez, Research Analyst, Local 2
- Bill White, representing SPHERE Institute

ITEM 95

Sheri Pemberton, Chief, External Affairs and Legislative Liaison, CSLC

- Paloma Aguirre, Coastal & Marine Director, WILDCOAST
- Marcela Gutierrez-Graudins, Founder/Director, AZUL
- Mari Rose Taruc, Coordinator, Environmental Justice Workshop Group

PUBLIC COMMENT

Oakland:

- Michael Brownrigg, Mayor, City of Burlingame
- Neal Desai, Director of Field Operations, National Parks Conservation Association
- Anthony C. Evans, Director, Meeks Bay Vista Property Owners' Association
- Jed Humphries, representing Redwood Creek Association
- Jennifer Savage, California Policy Manager, Surfrider Foundation
- Dan Slanker, President, Redwood Creek Association

STAFF AND PUBLIC ADDRESSING CONTINUED

PUBLIC COMMENT

Rancho Palos Verdes:

- June Burlingame Smith, representing self
- Janet Gunter, representing San Pedro Peninsula Homeowners United
- Chuck Hart, President of San Pedro Peninsula Homeowners United
- Renee Lawler, Director, Historic Equestrian Trail Association of Southern California
- Jesse Marquez, Coalition For A Safe Environment (CFASE)
- Stanley Mosler, representing self
- Anthony Patchett, Law office of Anthony G. Patchett, representing San Pedro Homeowners United
- Connie Rutter, representing San Pedro Peninsula Homeowners United
- Peter Warren, representing San Pedro Peninsula Homeowners United
- Noel Weiss, representing self
- Linda West, representing self
- Robert West, representing self