

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF OCTOBER 24, 2019

CONTRA COSTA COUNTY BOARD OF SUPERVISORS
BOARD CHAMBERS ROOM 107
651 PINE STREET
MARTINEZ, CALIFORNIA 94553

APPEARANCES

COMMISSIONERS PRESENT

- Eleni Kounalakis, Lieutenant Governor
- Betty T. Yee, State Controller
- Gayle Miller, Chief Deputy Director and Alternate for Director of the Department of Finance Keely Bosler

STAFF MEMBERS IN ATTENDANCE

- Jennifer Lucchesi, Executive Officer
- Pam Griggs, Assistant 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 OCTOBER 24, 2019**

Chair Eleni Kounalakis called the meeting of the California State Lands Commission to order at 10:03 A.M. at the Contra Costa County Board Supervisors Board Chambers, Room 107, 651 Pine Street, Martinez, California 94553; also present were Commissioner Betty Yee and Commissioner Alternate Gayle Miller.

Confirmation of the Minutes of the August 23, 2019 meeting were approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes).

EXECUTIVE OFFICER'S REPORT

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

- **Kincaid Fire:** A recent fire broke out in Sonoma County (the Kincaid Fire). The fire is in close proximity and has impacted state geothermal leases at the Geyser Field. Based on conversations with Calpine representatives, no employees have been injured and there has only been minor damage to the facilities. Staff will continue to keep in close contact with them as things progress.
- **Hollister Ranch:** On October 9th, Governor Newsom signed AB 1680 by Assembly Member Limón, which will help facilitate public access at Hollister Ranch.
- **Salton Sea:** The Salton Sea is the State's largest lake. Last week Commission staff attended the Salton Sea Summit at the UC Riverside Palm Desert campus facilitated by numerous stakeholders to address the serious and growing threat posed by the shrinking Salton Sea. Climate fluctuations, improved agricultural conservation measures, decreased water flow from Mexico, and water diversion to cities has resulted in a reduction of the lake level by nine inches in the last 16 years. This has caused an increase in water salinity and exposure of salty, silty playa that is increasingly emitting dust during wind events, like Owens Lake, prior to the routine remediation that DWP is pursuing. This is posing a serious threat to human health, the ecology of the lake, and the economy of Imperial Valley. The State of California, through the Natural Resources Agency in 2017, adopted the Salton Sea management program, the first phase of which will construct habitat and suppress dust on areas of the playa that are or will be exposed by 2028. Several projects are underway or are in permitting stage, and the State is planning a programmatic EIR to expedite the implementation of the additional habitat and dust remediation projects. Staff will continue to update the Commission on the activities of the State in that area.
- **Oil and Gas Offshore Facility Decommissioning Projects:**
 - Piers 421 –Staff has successfully completed the plugging and abandonment of the Piers 421 production well. With that well plugged and abandoned, staff can move on to analyzing the actual decommissioning and removal of the piers pursuant to CEQA and hopefully start on that work the first half of next year.

RECORD OF ACTION CONTINUED

- Platform Holly – Staff has been working for the last year and a half to two year to ready the platform to plug and abandoned those 30 wells. The plugging and abandonment work has begun.
- Town Hall Meeting in Goleta – Staff is scheduling a town hall for November 7th to provide a status update on Piers 421, as well as to discuss the start of the plugging and abandonment of the 30 offshore wells associated with Platform Holly.
- Rincon Island – As part of the trip to Santa Barbara and Ventura Counties, staff will be hosting two tours of Rincon Island. The first one is with Ventura county officials. The second tour is with the Dean of the Bren Institute of UC Santa Barbara and his colleagues. Staff has successfully plugged and abandoned 20 of the 50 offshore wells and 24 of the 25 onshore wells, ahead of schedule and about \$2 million under our projected budget.
- **State Lands Commission and Coastal Commission MOU:** The Coastal Commission and State Lands Commission are working together on a Public Trust coordination project funded by a grant from the National Oceanic and Atmospheric Administration. The purpose of this multi-year project is to strengthen communication, collaboration, and coordination between the two agencies surrounding respective Public Trust responsibilities and the challenges related to the ambulatory State tidelands boundaries, climate change, rising sea levels, a rapidly changing shoreline, and competing Public Trust uses. The goal of the MOU is really to create a process for communication and work going forward that will facilitate collaboration between the agencies and achieve protection of Public Trust lands, resources, uses, and values.
- **Offshore Wind Applications Offshore of Vandenberg:**
 - Ideol's data collection lease application was deferred by the Commission at the August meeting so that staff could get additional feedback from various stakeholders on data gaps and recommended methodologies for the data collection prior to Commission authorization. Outreach has been ongoing since the August meeting. Staff has been working closely with the applicant to get full disclosure on the type of data collection activities they will be undertaking. And both the applicant and Commission staff separately have held a number of conversations with stakeholders over the past couple months. Staff is working with those stakeholders to ensure that any concerns and questions have been identified and addressed to the extent possible.
 - Staff also has two applications for an actual demonstration project by Ideol and another company, CIERCO. Both applications are currently incomplete with the Commission. Staff is working with both applicants on the information that's needed to complete their applications.

RECORD OF ACTION CONTINUED

- **BCDC Environmental Justice Policy:** The Bay Conservation and Development Commission recently adopted their first ever Environmental Justice Policy. The State Lands Commission is a voting member on the BCDC and have been working very closely with BCDC staff in the development of their Environmental Justice Policy.
- **Donner Lake:** The boundary dispute at Donner Lake around almost the entire lake has been ongoing for decades dating all the back to the early 1970s. The proposed boundary line agreement provides certainty as to boundaries and leasing jurisdiction, which is important for the property owners; it preserves the Commission's ownership interest and public access interest in the Public Trust easement area; and it takes into account the ambulatory nature of the water boundary. This is a win-win all the way around.
- **International Maritime Organization Workshop:** October 17th through the 18th, the Commission's Senior Environmental Scientist with the Marine Invasive Species Program, Lina Ceballos, represented the State of California at an International Maritime Organization workshop in Mexico City. The IMO convened the workshop in collaboration with the United Nations Development Program and the Global Environment Facility to address the issue of invasive aquatic species transferred through biofouling in some of the developing regions of the world.

CONSENT CALENDAR

- Consent Item 21 was removed from consideration
- Consent Items 01-20 and 22-75 were approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes)

INFORMATIONAL CALENDAR

ITEM 76: was informational – no vote required

REGULAR CALENDAR

ITEM 77: A presentation was made to the Commission to consider supporting H.R. 3895 by Representative Juan Vargas (D-CA-51) and H.R. 4039 by Representative Mike Levin (D-CA-49): legislation introduced in the 116th Congress to support mitigation efforts in the Tijuana River Valley and to reduce cross-border pollution from flowing into the United States.

Item 77 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes)

ITEM 78: A staff presentation was made to the Commission updating them on the Commission's activities along the Crockett Waterfront near the Carquinez Bridge.

Item 78 – was informational – no vote required

RECORD OF ACTION CONTINUED

ITEM 79 – was removed from the agenda.

ITEM 80: A staff presentation was made to the Commission to consider an application for a General Lease – Other, of filled and unfilled sovereign land located in the historic bed of the San Francisco Bay, at 410 Airport Boulevard, Burlingame, San Mateo County; for maintenance, removal of debris, and monitoring of subject property.

Item 80 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes)

ITEM 81 – was removed from the agenda.

(The State Lands Commission adjourned into closed session from 11:57 A.M. to 12:32 P.M., then resumed open session at 12:34 P.M.)

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

**STAFF AND PUBLIC ADDRESSING
THE FOLLOWING STAFF REPORTS
OCTOBER 24, 2019**

ITEM 77

Sheri Pemberton, Chief, External Affairs Division, CSLC

- Jennifer Savage, California Policy Manager, Surfrider

ITEM 78

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

- Joanna Cassese, Crockett Community Foundation, Crockett Lions Club
- David Fraser, Chief of Staff, Supervisor Federal Glover
- Larry Hayden, Vice President, Crockett Chamber of Commerce
- John Kopchik, Director, Department of Conservation, Contra Costa County
- Dale McDonald, General Manager, Crockett Community Services District
- Heidi Petty, Watershed Program Manager, Contra Costa Resource Conservation District
- Igor O. Skaredoff, President, Contra Costa Resource Conservation District

ITEM 80

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

- Greg Boro, Treasurer, Project Director, The Sphere Institute
- Brandon Dawson, Policy Counsel
- Helen Wolter, Legislative Advocate, Committee for Green Foothills

PUBLIC COMMENT

- Destinee Dixon
- Alison Madden, Chair, San Francisco Bay Marinas for All
- Jennifer Savage, California Policy Manager, Surfrider
- Buckley Stone, President, San Francisco Bay Marinas for All