

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF DECEMBER 6, 2019

HOLIDAY INN SACRAMENTO DOWNTOWN-ARENA
300 J STREET
SACRAMENTO, CALIFORNIA 95814

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
- Seth Blackmon, 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 DECEMBER 6, 2019**

Chair Eleni Kounalakis called the meeting of the California State Lands Commission to order at 10:04 A.M. at the Holiday Inn Sacramento Downtown-Arena, 300 J Street, Sacramento, California 95814; also present were Commissioner Betty Yee and Commissioner Alternate Gayle Miller.

Confirmation of the Minutes of the October 24, 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:

- **Decommissioning Projects Update:**
 - Rincon Island: Staff continues to make significant progress in abandoning the offshore and onshore wells at the former Rincon leases. On the island, 24 of the 50 offshore wells have been cemented back to the mud line. Onshore, 24 of the 25 State wells have been abandoned and the removal of the wellheads and concrete well cellars are underway. Two private wells were also abandoned within this area using funds made available by DOGGR. Staff also hosted a tour of the island with County of Ventura representatives, as well as representatives from UCSB’s Bren Institute to discuss options for the future use of the island.
 - Platform Holly: Staff has begun the first phase of the plugging and abandonment of the wells on Platform Holly. The production zone of three wells have been cemented the fourth well is currently being cemented.
 - Piers 421 Wells: Staff has completed the plugging and abandonment of the production well, and are now starting to do some prep work for the additional CEQA compliance that needs to be completed in order to move forward on removing those piers from the shore zone.
 - Ellwood Onshore Facility: No new operations have been done or are planned at this time. The facilities are only in service for the support of Platform Holly.
 - Staff held a town hall event in November to update the community and the city on the Commission’s progress with all aspects of the Platform Holly decommissioning.
- **CEMEX:** The Commission successfully facilitated the completion of the CEMEX wharf removal in West Sacramento near Freedom Bridge. This wharf, originally built in the 1950’s, is under lease for a non-operational concrete pier and wharf structure. CEMEX submitted an application for removal of the existing wharf facilities and the termination of the existing lease. During a site visit in May, staff

RECORD OF ACTION CONTINUED

discovered that the levee side of the wharf was collapsing and threatening the integrity of the pier and wharf structure. Based on an inspection by staff engineers on June 13th, it was determined that the structure was critically damaged and required immediate removal to protect public health and safety. The levee has been completely remediated and all the facilities removed.

- **Crockett Waterfront:** At the Commission meeting that was held in Contra Costa County, there was a lot of discussion around the future of the of the Crockett waterfront. Staff has been working very closely with the San Francisco Bay Conservation and Development Commission (BCDC), the National Marine Fisheries Service, Lind Marine, and Hanson Aggregates to pursue removal of two abandoned vessels and 30 pilings. Associated with this effort, on the consent agenda is Item 16, where staff is recommending a lease with the Nantucket revitalization, LLC to maintain and help with security and debris removal for the restaurant area on shore there.
- **Offshore Geophysical Survey Program:** Recently the Office of Administrative Law approved the publication of the Commission's new regulations to streamline and enhance the Commission's existing Offshore Geophysical Survey Program and seek to ensure that geophysical survey occurring in State waters are protective of the environment.
- **Marine Invasive Species Program:** Commission staff are working with staff from the Ocean Science Trust to conduct an independent peer review of the Commission's report, entitled *The 2018 Assessment of the Efficacy, Availability, and Environmental Impacts of Ballast Water Treatment Technologies For Use in California's Waters*. That report led to AB 912 by Muratsuchi, a Commission-sponsored bill that goes into effect on January 1st, 2020 and amends the Marine Invasive Species Act to delay implementation of California's Ballast Water Discharge Standards and authorize the Commission to enforce the federal standards in the interim.
- **Strategic Plan Update:** Commission staff are embarking next year to develop the Commission's next five-year strategic plan. We are tentatively scheduled for an early February 2020 meeting that's going to be focused on receiving and soliciting input and feedback on the Commission's current strategic plan, and what stakeholders would like to see for the next strategic plan. Consent Item 46 on the agenda is to request the Commission to authorize staff to retain a consultant to help staff develop the next strategic plan, as well as a public engagement process associated with that.
- The Executive Officer acknowledged and congratulated Seth Blackmon as the Commission's new Chief Counsel.
- The Executive Officer acknowledged the passing of three Commission staff members: Mark LeClair, Raul Valdez, and Steve Staker. They all worked as inspectors and engineers in the Mineral Resources Management Division.

RECORD OF ACTION CONTINUED

CONSENT CALENDAR

- Consent Items 11, 12, 23, 31 were removed from consideration
- Consent Item 29 was approved as presented by a vote of 2-0 (Kounalakis–Yes; Yee–Abstain; Miller–Yes)
- Consent Items 01-10, 13-22, 24-28, 30, and 32-51 were approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes)

INFORMATIONAL CALENDAR – SEE REGULAR CALENDAR

REGULAR CALENDAR

ITEM 52: A presentation was made to the Commission to consider assignment and amendment of Lease No. PRC 4908.1, a General Lease – Industrial Use, of sovereign land located in the Carquinez Strait, Martinez, Contra Costa County; for an existing marine oil terminal wharf and appurtenant facilities.

Item 52 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes)

ITEM 53 – was removed from the agenda.

ITEM 54: A staff presentation was made to the Commission to consider authorization, as trustee of the School Land Bank Fund, for the sale and issuance of a patent of 17.13 gross acres, more or less, of State-owned school land; consider authorization of an application for a General Lease – Public Agency Use, of 1.07 acres, more or less, of State-owned school land for a dirt access road with both the sale of the 17.13 gross acres and the lease conditioned on the conceptual commitment to preserve a culturally significant adjacent parcel; and consider authorization of an archaeological permit, all located in Section 36, Township 18 South, Range 36 East, MDM, north of Cartago, Inyo County.

Item 54 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes)

ITEM 55: A staff presentation was made to the Commission to consider adopting a resolution supporting infrastructure projects and operational changes to prevent transboundary pollution in the Tijuana River Valley and Pacific Ocean, San Diego County.

Item 55– was approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes)

RECORD OF ACTION CONTINUED

ITEM 56: An informational presentation was made by the Board of Forestry on the California Vegetation Treatment Program, which will be implemented statewide to reduce wildfire risks.

Item 56 – was informational – no vote required

ITEM 57: A staff presentation was made to the Commission regarding the progress report on the Commission's first year implementing its new Environmental Justice Policy.

Item 57 – was informational – no vote required

ITEM 58: An informational staff presentation was made to provide an update on the Commission's participation in the Government Alliance on Race and Equity Capitol Cohort. .

Item 58 – was informational – no vote required

(The State Lands Commission adjourned into closed session from 12:04 P.M. to 12:18 P.M., then resumed open session at 12:20 P.M.)

The Commission meeting public session was adjourned at 12:33 P.M.

**STAFF AND PUBLIC ADDRESSING
THE FOLLOWING STAFF REPORTS
DECEMBER 6, 2019**

ITEM 52

Dobri Tutov, Public Land Management Specialist, Land Management Division,
CSLC

- Jerry Forstell, Refinery Manager, PBF Energy
- Steve Leshner, Government Affairs, Shell

ITEM 54

Brian Bugsch, Chief, Land Management Division, CSLC
Jennifer Mattox, Environmental Program Manager and Tribal Liaison, CSLC

- Kathy Bancroft, Tribal Historic Preservation Officer, Lone Pine Paiute-Shoshone
Reservation
- Francis Coats
- Charlotte Lange, Chairman, Mono Lake Kutzadike Tribe
- Jolie Varela, Founder, Indigenous Women Hike

ITEM 55

Jennifer Lucchesi, Executive Officer, CSLC

ITEM 56

Matt Dias, Executive Officer, Board of Forestry and Fire Protection
Heather Blair, M.A., Project Manager, Ascent Environmental, Inc.

ITEM 57

Katie Robinson-Filipp, California Sea Grant Fellow, CSLC

ITEM 58

Lisa Lloyd, Assistant Chief, Administrative Services Division, CSLC
Sheri Pemberton, Chief, External Affairs Division, CSLC

PUBLIC COMMENT – NO SPEAKERS